

By Mr. McLACHLAN: Papers to accompany House bill relating to the correction of the military record of P. L. Moore—to the Committee on Military Affairs.

Also, papers in support of House bill granting a pension to Mary Fox, now Everett—to the Committee on Pensions.

By Mr. MERCER: Papers to accompany House bill 12570, granting an increase of pension to Sylvester Beezley—to the Committee on Invalid Pensions.

Also, paper to accompany House bill 12516, granting a pension to J. H. Morris—to the Committee on Invalid Pensions.

By Mr. MUTCHLER: Resolutions of Carpenters' Union No. 501, of East Stroudsburg, Pa., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, petition of F. W. Bell Circle, No. 107, Easton, Pa., Ladies of the Grand Army of the Republic, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

Also, resolutions of General J. Kilpatrick Post, No. 233, Sons of Veterans, Easton, Pa., favoring the passage of House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of United Mine Workers' Unions Nos. 1595, of Beaver Meadow; 1494, of Colerain, and 1745, of Summit Hill, Pa., favoring the prohibition of immigrants other than wives and children who can not read—to the Committee on Immigration and Naturalization.

By Mr. NEVIN: Petition of Abraham Heed and others, of Montgomery County, Ohio, favoring the per diem pension bill—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill 14631, granting an increase of pension to Henry Jeffers—to the Committee on Invalid Pensions.

Also, petition of John Till, of Lauderdale County, Ala., for reference of war claim to Court of Claims—to the Committee on War Claims.

By Mr. RUPPERT: Resolution of Central Federated Union of New York, in reference to the employment of enlisted men in competition with local civilians—to the Committee on Labor.

By Mr. SIBLEY: Petition of citizens of Kane, Pa., and other places, asking that certain kinds of meat be placed upon the free list—to the Committee on Ways and Means.

Also, petition of the Journeymen Barbers' Union of Glade Run, Pa., in relation to immigration—to the Committee on Immigration and Naturalization.

By Mr. SULZER: Resolutions of Central Federated Union of New York, indorsing the bill prohibiting enlisted men in the service of the United States competing with civilians—to the Committee on Labor.

By Mr. THAYER: Petition of Justus H. Wright and others, in the State of Massachusetts, in relation to jurors' fees in the United States courts—to the Committee on the Judiciary.

By Mr. WADSWORTH: Petition of Dudley Donnelly Post, No. 133, of Niagara Falls, Grand Army of the Republic, Department of New York, for the passage of a bill to modify and simplify the pension laws—to the Committee on Invalid Pensions.

By Mr. ZENOR: Petition of 570 members of the Union Veteran Legion of Floyd County, Ind., praying for the passage of the per diem pension bill—to the Committee on Invalid Pensions.

Also (by request), petition of Cherokee Nation, praying for appropriation to pay claim against the United States, in compliance with findings of Court of Claims—to the Committee on Indian Affairs.

SENATE.

FRIDAY, May 23, 1902.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

DISTRICT INDUSTRIAL HOME SCHOOL.

The PRESIDING OFFICER (Mr. PLATT of Connecticut) laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Commissioners of the District of Columbia, submitting an estimate of appropriation in the additional sum of \$3,000 for the enlargement of the girls' dormitories of the Industrial Home School, District of Columbia, together with the reappropriation of \$5,000 for this purpose, provided by the District appropriation act of March 1, 1901; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

ENROLLED BILLS SIGNED.

The PRESIDING OFFICER announced his signature to the following enrolled bills and joint resolution; which had previously been signed by the Speaker of the House of Representatives:

A bill (S. 173) for the relief of the owners of the British ship Foscolia and cargo;

A bill (S. 3129) for the authorization of the erection of buildings by the international committee of Young Men's Christian Associations on military reservations of the United States;

A bill (S. 3666) to authorize the sale of a part of the Fort Niobrara Military Reservation, in the State of Nebraska;

A bill (S. 3848) granting a deed of quitclaim and release to Lorillard Spencer, his heirs and assigns, of all the right, title, and interest in and to certain land in the city of Newport, R. I.;

A bill (H. R. 8466) granting a pension to Lucinda A. Sirwell;

A bill (H. R. 8587) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes;

A bill (H. R. 8921) granting increase of pension to Jesse C. Rhodaback;

A bill (H. R. 9226) granting a pension to Elizabeth I. Ogden;

A bill (H. R. 9249) granting a pension to Amos Allport;

A bill (H. R. 9437) granting increase of pension to Elias A. Calkins;

A bill (H. R. 9569) granting increase of pension to Albert Deits;

A bill (H. R. 9926) granting increase of pension to James F. Patton;

A bill (H. R. 9928) granting a pension to Benjamin E. Styles;

A bill (H. R. 10165) granting increase of pension to Delia E. Slocum;

A bill (H. R. 10201) granting increase of pension to Otis R. Freeman;

A bill (H. R. 10731) granting increase of pension to Samuel P. Milburn;

A bill (H. R. 11285) granting increase of pension to William Sheldon;

A bill (H. R. 11343) granting a pension to Mary Louise Lowry;

A bill (H. R. 11644) granting a pension to Edgar A. Hamilton;

A bill (H. R. 11921) granting increase of pension to George W. De Graw;

A bill (H. R. 12012) granting increase of pension to Walter C. Tuttle;

A bill (H. R. 12453) granting increase of pension to William M. Barstow;

A bill (H. R. 12562) granting increase of pension to William H. Temple;

A bill (H. R. 12685) granting a pension to Hiram J. Springfield;

A bill (H. R. 12778) granting increase of pension to Edward R. Blain;

A bill (H. R. 12780) granting increase of pension to William H. Wheeler;

A bill (H. R. 13132) granting increase of pension to Annie Cotter;

A bill (H. R. 13162) granting increase of pension to Augustin M. Adams;

A bill (H. R. 13249) granting increase of pension to Ada Trowbridge;

A bill (H. R. 13265) granting increase of pension to John Whalen;

A bill (H. R. 13268) granting increase of pension to Elbert N. Remson;

A bill (H. R. 13350) granting a pension to Presley P. Medlin;

A bill (H. R. 13503) granting increase of pension to Charles Haltenhof;

A bill (H. R. 13807) granting a pension to Jeremiah Horan;

A bill (H. R. 13822) granting a pension to Hannah T. Knowles;

A bill (H. R. 14099) granting a pension to Samantha B. Van Brocklin; and

A joint resolution (S. R. 46) to provide for the printing of 6,000 copies of the consolidated reports of the Gettysburg National Park Commission, 1893 to 1901, inclusive.

PETITIONS AND MEMORIALS.

Mr. KITTREDGE presented the petition of Owen Hoep and 31 other citizens of Ragged Top, S. Dak., praying for the adoption of certain amendments to the internal-revenue law relative to the tax on distilled spirits; which was referred to the Committee on Finance.

Mr. DILLINGHAM presented a petition of sundry citizens of Fairhaven, Vt., praying for the repeal of the tariff duties on beef, veal, mutton, and pork; which was referred to the Committee on Finance.

He also presented a petition of Lumpers, Boxers, and Derrick Men's Local Union No. 9584, American Federation of Labor, of Barre, Vt., praying for the enactment of legislation providing an educational test for immigrants; which was referred to the Committee on Immigration.

Mr. FOSTER of Washington presented a petition of the Chamber of Commerce of Seattle, Wash., praying for the enactment of

legislation granting pensions to certain officers and enlisted men in the Life-Saving Service; which was referred to the Committee on Pensions.

Mr. FAIRBANKS presented the petition of Francis Richmond and 14 other citizens of Newfane, Vt., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in immigrant stations; which was referred to the Committee on Immigration.

Mr. PROCTOR presented a memorial of Stannard Post, No. 2, Department of Vermont, Grand Army of the Republic, of Burlington, Vt., remonstrating against the attacks made on the reputation of our soldiers and sailors serving in the Philippines; which was referred to the Committee on the Philippines.

Mr. ALLISON. I present a concurrent resolution of the general assembly of the State of Iowa in favor of the passage of House bill 8325, relating to the adjustment of the swamp-land grant to the State of Iowa. I understand that a similar concurrent resolution was presented yesterday by my colleague [Mr. DOLLIVER] and printed in the RECORD. I therefore simply move that this duplicate copy be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. CARMACK presented petitions of Forked Deer Lodge, No. 72, International Association of Machinists, of Jackson; of the United Mine Workers' Local Union, of Knoxville; of United Mine Workers' Local Union No. 253, of Wooldridge; of Federal Labor Union No. 7600, of Victoria, and of United Mine Workers' Local Union No. 399, of Jellico, all in the State of Tennessee, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented a petition of sundry citizens of Tennessee, praying for the adoption of certain amendments to the internal-revenue law relative to the tax on distilled spirits; which was referred to the Committee on Finance.

Mr. PENROSE presented petitions of Chippewa Lodge, No. 410, of Abbottsford; of Altoona Division, No. 241, Brotherhood of Locomotive Engineers, of Altoona; of Ashland Division, No. 379, Brotherhood of Locomotive Engineers, of Ashland; of F. O. Tarbox Lodge, No. 303, of Ashland; Division No. 176, Brotherhood of Locomotive Engineers, of Baraboo; of Baraboo Division, No. 68, of Baraboo; of Baraboo Lodge, No. 177, of Baraboo; of Division No. 259, Order of Railway Conductors, of Fond du Lac; of Division No. 297, of Green Bay; of La Crosse Division, No. 61, Order of Railway Conductors, of La Crosse; of Division No. 66, Brotherhood of Locomotive Engineers, of Milwaukee; of Division No. 46, of Milwaukee; of Lodge No. 191, of Milwaukee, and of Division No. 273, of West Superior, all of the State of Wisconsin, praying for the enactment of legislation providing an educational test for immigrants to this country; which were referred to the Committee on Immigration.

He also presented a petition of 20 citizens of Barkeyville, Pa., praying for the adoption of an amendment to the Constitution providing for the election of Senators by direct vote of the people; which was referred to the Committee on Privileges and Elections.

He also presented petitions of the Philadelphia Maritime Exchange, of Philadelphia, and of the Board of Trade of Philadelphia, in the State of Pennsylvania, praying for the enactment of legislation granting pensions to certain officers and enlisted men in the Life-Saving Service, their widows and minor children; which were referred to the Committee on Pensions.

He also presented a petition of the Engineers' Society of Western Pennsylvania, Pittsburgh, praying for the adoption of the metric system of weights and measures; which was referred to the Select Committee on Standards, Weights, and Measures.

He also presented petitions of 318 citizens of Indiana County, 23 citizens of Lancaster, 39 citizens of Philadelphia, in the State of Pennsylvania, praying for the passage of Senate bill 1890, providing a service pension for those who served in the Army of the Union during the civil war; which were referred to the Committee on Pensions.

He also presented a petition of 380 citizens of Philadelphia, Pa., praying for the enactment of legislation providing for the outage allowance on whisky made subsequent to January 1, 1899; which was referred to the Committee on Finance.

He also presented petitions of McPherson Post, No. 1, Grand Army of the Republic, of Little Rock, Ark.; of Union Veteran Legion, of Manayunk, Pa., praying for the enactment of legislation providing a service pension for those who served in the Army of the Union during the civil war; which was referred to the Committee on Pensions.

He also presented a memorial of Mount Chestnut Grange, No. 133, of Butler County, Pa., remonstrating against the passage of bill providing for the irrigation of arid lands; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of 34 citizens of Easton, Pa., praying for the repeal of the duty on beef, veal, mutton, and pork; which was referred to the Committee on Finance.

He also presented resolutions adopted by 250 citizens of Philadelphia and at a meeting of the Liederkranz of Scranton, in the State of Pennsylvania, expressing sympathy with the people of the South African Republic and the Orange Free State; which were referred to the Committee on Foreign Relations.

He also presented a petition of Colonel P. B. Hansom Post, No. 309, Department of Pennsylvania, Grand Army of the Republic, of Chambersburg, Pa., praying for the enactment of legislation providing for the improvement and extension of the post-exchange system; which was referred to the Committee on Military Affairs.

He also presented petitions of 92 citizens of Williamsport, Pa., and of the Gospel Temperance Union of Oshkosh, Wis., praying for the enactment of legislation prohibiting the sale of intoxicating liquors in the Soldiers' Homes of the country; which were referred to the Committee on Military Affairs.

He also presented petitions of Local Division No. 45, Brotherhood of Locomotive Engineers, of West Philadelphia; of Jersey Shore Division No. 168, Order of Railway Conductors, of Jersey Shore; of Lodge No. 259, Brotherhood of Locomotive Engineers, of Easton; of Lackawanna Division No. 12, Order of Railway Conductors, of Scranton; of Division No. 162, Order of Railway Conductors, of West Philadelphia; of Packer Lodge No. 85, Brotherhood of Railroad Trainmen of Easton; of Lodge No. 174, Brotherhood of Railroad Trainmen, of Altoona; of Lodge No. 228, Brotherhood of Railroad Trainmen, of Bradford; of Division No. 310, Brotherhood of Locomotive Engineers, of Derry Station; of Butler Lodge No. 591, Brotherhood Railroad Trainmen, of Butler; of Lodge No. 383, of Harrisburg; of Lodge No. 451, Brotherhood of Railroad Trainmen, of Foxburg, all in the State of Pennsylvania, praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. PLATT of Connecticut presented a petition of the Chamber of Commerce of New Haven, Conn., praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Local Union No. 253, United Mine Workers, of Wooldridge, Tenn., praying for the passage of the so-called Hoar anti-injunction bill to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was ordered to lie on the table.

He also presented a petition of the Lemonweir Convention of Congregational churches of Nekoosa, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army posts and immigrant stations; which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the amendment submitted by himself on the 15th instant, proposing to increase the appropriation for the purchase of text-books and school supplies for use of pupils of the first eight grades, etc., intended to be proposed to the District of Columbia appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

He also, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7704) granting an increase of pension to Christiana Leach;

A bill (H. R. 11831) granting an increase of pension to John W. Acker;

A bill (H. R. 7076) granting an increase of pension to Leath Gilliland; and

A bill (H. R. 8003) granting an increase of pension to Louisa M. Macfarlane.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 12828) granting a pension to Mary E. Culver, reported it with an amendment, and submitted a report thereon.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 11060) to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, to report it with an amendment, and to submit a report thereon. I am directed by the same committee to ask that Senate bill 4553, being a bill with the same title, heretofore reported and on the Calendar, be indefinitely postponed.

The PRESIDING OFFICER. The House bill will be placed on the Calendar and the Senate bill indefinitely postponed if there be no objection. The Chair hears none, and it is so ordered.

Mr. CULLOM. May I ask the Senator whether the Senate bill first reported is the bill we are receiving so many letters about? That is Senate bill 1118, I think.

Mr. HOAR. There was a former report on that bill, but of course the House having passed a bill, which is now reported with an amendment, the Senate bill can be indefinitely postponed.

Mr. CULLOM. Is that the bill all these organizations desire to have passed?

Mr. HOAR. Yes.

Mr. CULLOM. The Senator's committee recommend its passage.

Mr. HOAR. With an amendment.

Mr. BERRY, from the Committee on Commerce, to whom were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (S. 5679) to authorize the construction of two bridges across the Ashley River, in the counties of Charleston and Dorchester, S. C.; and

A bill (S. 5749) to authorize the construction of a bridge across the Tennessee River, in the State of Tennessee, by the Harriman Southern Railroad Company.

Mr. PENROSE, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 1206) for the relief of Frank J. Burrows, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 604) for the relief of Frank J. Burrows, asked to be discharged from its further consideration and that it be postponed indefinitely; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 622) for the relief of Frank J. Burrows, asked to be discharged from its further consideration, and that it be postponed indefinitely; which was agreed to.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 4202) to regulate the sale of intoxicating liquors in the District of Columbia, reported it with amendments, and submitted a report thereon.

URGENT DEFICIENCY APPROPRIATIONS.

Mr. HALE. From the Committee on Appropriations I report back with amendments the bill (H. R. 14589) making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902; and I ask that it may be considered at the present time.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The first amendment of the Committee on Appropriations was on page 2, after line 7, to insert:

Public printing and binding: For the Department of the Interior, including the Civil Service Commission, \$42,000.

The amendment was agreed to.

The next amendment was to add the following:

For the Navy Department, including the Hydrographic Office, \$22,500.

The amendment was agreed to.

The next amendment was to add the following:

SENATE.

For expenses of maintaining and equipping horses and mail wagons, for carrying the mails, \$500.

The amendment was agreed to.

The next amendment was to add the following:

For fuel, oil, and cotton waste, and advertising, for the heating apparatus, exclusive of labor, \$2,500.

The amendment was agreed to.

The next amendment was to add the following:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding \$1.25 per printed page, \$30,000.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. HALE. It has been suggested to me that I move a conference on these amendments and that the conferees upon the part of the Senate be instructed, but I do not think there is a necessity for anything of that kind. I am entirely willing to trust to the discretion and good sense of the House in dealing with the amendments. Therefore I shall not make any such motion.

Mr. SPOONER. Is it the request of the House for a conference?

Mr. HALE. No; it is certain amendments made by the Senate to a House bill. The Senate can, if it chooses, ask for a conference and instruct its conferees not to agree to a change in the amendments, but that I do not think would be good parliamentary practice. I think we can put the amendments into conference and trust the House to deal in a reasonable way with them.

Mr. SPOONER. I agree entirely with the Senator in his proposition.

ARTHUR J. BUSHNELL.

Mr. McCUMBER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 13395) granting a pension to Arthur J. Bushnell, to report it without amendment.

Mr. KITTREDGE. I ask unanimous consent for the present consideration of the bill just reported by the Senator from North Dakota.

Mr. COCKRELL. Let it be read for information.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension roll the name of Arthur J. Bushnell, late of Company A, First Regiment South Dakota Volunteer Infantry, war with Spain, and to pay him a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. ALLISON introduced the following bills; which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 5945) granting an increase of pension to Jeremiah S. Alexander; and

A bill (S. 5946) granting an increase of pension to Edward Walsh.

Mr. BLACKBURN introduced a bill (S. 5947) for the relief of Elias J. Riley, administrator of John Riley, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. TURNER introduced a bill (S. 5948) to amend an act entitled "An act to prohibit the coming into, and to regulate the residence within, the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent," approved April 29, 1902; which was read twice by its title, and referred to the Committee on Immigration.

Mr. DUBOIS introduced a bill (S. 5949) for the relief of certain naval officers and their legal representatives; which was read twice by its title, and referred to the Committee on Claims.

Mr. MALLORY introduced a bill (S. 5950) for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. NELSON introduced a bill (S. 5951) to establish a laboratory for the study of the criminal, pauper, and defective classes; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. McMILLAN introduced a bill (S. 5952) granting an increase of pension to Henry L. Davenport; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5953) granting a pension to Ann M. Green; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GAMBLE introduced a bill (S. 5954) for the relief of William H. H. Lee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PLATT of Connecticut introduced a bill (S. 5955) for the relief of the representatives of M. F. Merritt, deceased; which was twice read by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 5956) to provide for the allotment of the lands of the Cherokee Nation, for the disposition of town sites therein, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5957) for the relief of the estate of H. J. Binkley, deceased;

A bill (S. 5958) for the relief of the heirs of R. G. Rawley; and

A bill (S. 5959) for the relief of Clifton Lodge, No. 173, Free and Accepted Masons.

Mr. COCKRELL introduced a bill (S. 5960) granting a pension to Ella G. Day; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Ella G. Day for pension, together with the decision of the Secretary of the Interior affirming the rejection of her claim. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. PENROSE introduced a bill (S. 5961) granting an increase of pension to Mary P. Sheets; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 5962) granting a pension to Sarah

J. Cline; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 5963) granting a pension to Sarah Jane Gibson Ogden; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

INDIAN RESERVATION LANDS.

Mr. STEWART. I introduce a joint resolution and ask for its present consideration. It removes certain objections that the President has to the Indian appropriation bill recently passed. The subcommittee have considered it, and I hope it will pass.

The joint resolution (S. R. 105) supplementing and modifying certain provisions of the Indian appropriation act for the year ending June 30, 1903, was read the first time by its title and the second time at length, as follows:

Resolved by the Senate, etc., That the provisions of the act "making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes," are hereby supplemented and modified as follows:

The Secretary of the Interior is directed to make allotments in severalty to the Indians of the Spokane Indian Reservation in the State of Washington, and upon the completion of such allotments the President shall by proclamation give public notice thereof, whereupon the lands in said reservation not allotted to Indians or used or reserved by the Government, or occupied for school purposes, shall be opened to exploration, location, occupation, and purchase under the mining laws.

In addition to the allotment in severalty of lands in the Walker River Indian Reservation, in the State of Nevada, the Secretary of the Interior shall, before any of said lands are opened to disposition under any public-land law, select and set apart for the use in common of the Indians of that reservation such an amount of nonirrigable grazing lands therein at one or more places as will subserve the reasonable requirements of said Indians for the grazing of live stock.

In addition to the allotments in severalty to the Uintah and White River Utes of the Uintah Indian Reservation in the State of Utah, the Secretary of the Interior shall, before any of said lands are opened to disposition under any public land law, select and set apart for the use in common of the Indians of that reservation such an amount of nonirrigable grazing lands therein at one or more places as will subserve the reasonable requirements of said Indians for the grazing of live stock.

All allotments hereafter made to Uncompahgre Indians of lands in said Uintah Indian Reservation shall be confined to agricultural land which can be irrigated, and shall be on the basis of 80 acres to each head of a family, and 40 acres to each other Indian, and no more. The grazing land selected and set apart as aforesaid in the Uintah Indian Reservation for the use in common of the Indians of that reservation shall be equally open to the use of all Uncompahgre Indians receiving allotments in said reservation of the reduced area here named.

In so far as not otherwise specially provided all allotments in severalty to Indians outside of the Indian Territory shall be made in conformity to the provisions of the act approved February 3, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," and other general acts amendatory thereof or supplemental thereto, and shall be subject to all the restrictions and carry all the privileges incident to allotments made under said act and other general acts amendatory thereof or supplemental thereto.

The item of \$70,004.48 appropriated by the act, which is hereby supplemented and modified, to be paid to the Uintah and White River tribes of Ute Indians in satisfaction of certain obligations named in said act, shall be paid to the Indians entitled thereto without awaiting their action upon the proposed allotment in severalty of lands in that reservation and the restoration of the surplus lands to the public domain.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. RAWLINS. I did not hear the reading of the joint resolution. I should like to know what it is before I consent to its consideration. I ask the Clerk to send it to me.

Mr. STEWART. Can it be postponed for a moment and other business taken up while the Senator from Utah is reading it?

The PRESIDING OFFICER. The Chair avails itself of this opportunity to lay before the Senate sundry messages from the House of Representatives.

Mr. RAWLINS subsequently said: Mr. President, I do not object to the present consideration of the joint resolution introduced by the Senator from Nevada.

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. RAWLINS. I move to amend the joint resolution on page 3, in the last paragraph, by striking out the word "obligations" and inserting in lieu thereof the word "claims." It is the clause in regard to the payment of \$70,000 "in satisfaction of the claims mentioned in said act."

Mr. STEWART. I have no objection to that amendment.

The PRESIDING OFFICER. The amendment is accepted by the Senator who introduced the joint resolution.

The joint resolution was reported to the Senate as amended and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM C. HICKCOX.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives on the bill (H. R. 4103) granting a pension to William C. Hickcox and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I move that the Senate insist upon its amendments and agree to the conference asked by the House.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. GALLINGER, Mr. PRITCHARD, and Mr. TURNER were appointed.

JOHN H. LAUCHEY.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 8840) granting an increase of pension to John H. Lauchey and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I move that the Senate insist upon its amendment and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. DEBOE, Mr. SCOTT, and Mr. GIBSON were appointed.

HENRY I. SMITH.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 8794) granting an increase of pension to Henry I. Smith and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I move that the Senate insist upon its amendment and agree to the conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. FOSTER of Washington, Mr. BURTON, and Mr. CARMACK were appointed.

GEORGE W. BARRY.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 9344) granting an increase of pension to George W. Barry, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I make the same motion in regard to this bill.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. GALLINGER, Mr. SCOTT, and Mr. PATTERSON were appointed.

SOLOMON P. BROCKWAY.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 10545) granting an increase of pension to Solomon P. Brockway and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GALLINGER. I make the same motion in regard to this bill.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. McCUMBER, Mr. SIMON, and Mr. TALIAFERRO were appointed.

DISTRIBUTION OF CONGRESSIONAL RECORD.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2296) to amend an act approved March 2, 1895, relating to public printing; and it was referred to the Committee on Printing.

J. G. HOWELL.

On motion of Mr. PENROSE, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of J. G. Howell, alias Gibson Howell, accompanying Senate bill No. 3415, Fifty-sixth Congress, first session, copies of the same to be left in the files as provided by clause 2 of Rule XXX.

LIEUTENANT ARNOLD AND SERGEANT EDWARDS.

The PRESIDING OFFICER. The Chair lays before the Senate a resolution coming over from a preceding day, which will be read. The Secretary read the resolution submitted yesterday by Mr. CULBERSON, as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to send to the Senate copies of all official papers in his possession which relate to charges against Lieutenant Arnold and Sergeant Edwards by Private Andrew K. Weir, including the report of Capt. P. W. West, United States Army, of date August 21, 1901.

Mr. LODGE. Before the resolution is adopted I should like to know whether these charges are the foundation of a court-martial, and whether the court-martial is in progress. It seems to me we can hardly call for papers if a court-martial is pending. I myself know nothing whatever about the case.

Mr. CULBERSON. These charges are of long standing. The report was made on the 21st or 22d of August, 1901. Whether there has been a court-martial as a result of the charges I am not advised, as I stated yesterday in answer to the suggestion of the Senator from Wisconsin [Mr. SPOONER].

Mr. SPOONER. Will not the Senator let the resolution go over until to-morrow?

Mr. CULBERSON. The Senate will not meet to-morrow.

Mr. SPOONER. Until Monday. I intended to inquire about it, but I have had no opportunity to do so.

Mr. CULBERSON. I will state to the Senator from Wisconsin and the Senator from Massachusetts that my information, which, by the way, is quite meager, of course, is that no court-martial has been ordered in this case. We desire to have copies of all official papers from the War Department concerning the matter. The resolution could go over in order that the information suggested by the Senator from Wisconsin might be obtained, but I state to him, as I did a moment ago, that my information is that no court-martial has been ordered. However, that information is necessarily of a meager character.

Mr. SPOONER. The Senator from Texas is a lawyer and a good one. I know that if there is any investigation being conducted by the War Department preliminary to a court-martial, he would not wish the Senate to interfere with the matter. I want no concealment. I think the Senator will be willing to admit that. I intended to inquire, after our colloquy yesterday, what is the status of this matter, but I have had no opportunity to do so. If the Senator insists upon action on the resolution this morning, I hope the chairman of the Committee on the Philippines will move to refer it to that committee, in order that we may ascertain the status of the matter.

Mr. LODGE. I shall make that motion unless the resolution can be laid over.

Mr. CULBERSON. If it is the desire of the Senator from Wisconsin and the Senator from Massachusetts simply to inquire at the War Department whether court-martial proceedings are pending, I am willing that the resolution shall lie over until this afternoon in order that the inquiry may be made.

Mr. SPOONER. I think a court-martial had better be ordered in the usual way rather than to be conducted before the committee. So I think it might be just as well and wholly as fair to have the resolution lie over until Monday, if that course is agreeable to the Senator.

Mr. LODGE. If the resolution can go over until Monday I will make inquiry in regard to it in the meantime, but if action is desired to-day, then I will make a motion to refer it to the committee.

Mr. CULBERSON. Under the circumstances I will let the resolution go over until Monday, it being the best I can do.

The PRESIDING OFFICER. The resolution goes over until Monday, remaining on the table at the call of the Senator from Texas.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9960) to prevent a false branding or marking of food and dairy products as to the State or Territory in which they are made or produced, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEPBURN, Mr. SHERMAN, and Mr. RICHARDSON of Alabama managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MERCER, Mr. GILLET of New York, and Mr. BANKHEAD managers at the conference on the part of the House.

ARMY APPROPRIATION BILL.

Mr. PROCTOR. If the morning business is closed, I ask that the Army appropriation bill and the message from the House asking for a conference on the bill be laid before the Senate.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives; which was read:

IN THE HOUSE OF REPRESENTATIVES, May 20, 1902.

Resolved, That the House disagrees to the amendments of the Senate to the bill (H. R. 12804) making appropriations for the support of the Army for the fiscal year ending June 30, 1903, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. HULL, Mr. CAPRON, and Mr. HAY be the managers of the conference on the part of the House, with the following instructions:

Whereas Senate amendments numbered 13, 14, and 15 to the bill (H. R. 12804) making appropriations for the support of the Army for the fiscal year 1903 makes the proposed appropriation of \$4,000,000 for barracks and quarters available for the construction of such permanent buildings at established military posts as the Secretary of War may deem necessary, and reappropriates from unexpended balances of former appropriations for barracks and quarters \$350,000 for construction of necessary garrison buildings, notwithstanding appropriations for said objects are made, in accordance with the rules and practice of the House, in the sundry civil appropriation bill for said year; and

Whereas said amendments are subversive of the rules of the House, duplicate appropriations, and tend to confusion in the methods of making appropriations for the support of the Government, and will, if agreed to, give rise to a practice that will inevitably result in extravagant and wasteful expenditures: Therefore,

Resolved, That the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 12804 are instructed not to recommend an agreement to said amendments Nos. 13, 14, and 15, or to any modification thereof that will, under authority of said Army appropriation act, permit the expenditure of any sum for construction of permanent buildings at established military posts, except as authorized by section 1138 of the Revised Statutes.

The PRESIDING OFFICER. The bill and message are before the Senate. What action will the Senate take?

Mr. ALLISON. I ask the Senator from Vermont, who is in charge of the bill, what he proposes in answer to this message?

Mr. PROCTOR. Mr. President, it presents an unusual and certainly a new condition to me. I in the first instance asked to have it laid before the Senate to learn, if possible, what it is the disposition of the Senate to do in the matter.

Mr. BURROWS. Is the Senator going to make any motion?

Mr. PROCTOR. There seems to be a backwardness about coming forward, and to bring the matter before the Senate, without the expression of an opinion on my part as to whether it is wise or not, I will move that the Senate insist upon its amendments and agree to the conference asked by the House.

The PRESIDING OFFICER. The Senator from Vermont moves that the Senate insist upon its amendments to the bill and accede to the request of the House for a conference. The question is on agreeing to the motion of the Senator from Vermont.

Mr. SPOONER. I hoped the Senator from Massachusetts [Mr. HOAR] and other Senators, who have been here very much longer than I, would have something to say upon this question, and I rather infer that they will, unless I am wrong in the view which I take of it.

It does not need to be said that it is of the utmost consequence in the public interest that there should be perfect harmony between the two Houses and that each House should, in order to that end, meet the other with entire courtesy. I admit the right—I assume it to be established—of either House to instruct its conferees. I have always understood, however, that that was not customary at the time of requesting the first conference.

I know nothing about the merits of the particular amendments to which the House in advance have disagreed—I will not say "nothing," but not much. I am not sure that those amendments ought to have been incorporated in the bill, and I am not at all sure that I would not vote, if that question were here, that the Senate recede from the amendments. I rather think I would.

But, Mr. President, it seems to me that the procedure is entirely inadmissible and one which, if persisted in—my friend from Maine [Mr. HALE] prophesied the other day that there would be no recurrence of this procedure—

Mr. HALE. I was mistaken.

Mr. SPOONER. The Senator was mistaken then. If the Senate acquiesces now there will be no end, I think, to the recurrence.

Our conferences are free conferences, not limited conferences, which are sometimes, in other countries and perhaps in this, invoked. For one House to request a full and free conference of another, and accompany the request with a resolution, sent with a message to us or by us to the other House, that the conferees on the part of the body requesting the conference have been precluded by instruction from a full and free conference, seems to me not only offensive, but absurd.

If the House or the Senate can courteously and properly take this course as to one amendment made by the other, it can take it as to all amendments. If it is proper to pursue this course as to the particular amendments to which this message applies, it is entirely proper, if the House so choose, to embody in such instructions every amendment put upon the bill by the Senate; and it would not be very long until practically the Senate's power of amendment, so far as that is worked out through conferences, would be at an end, and so, not as a matter of etiquette, but as a matter in the interest of the people, the general public interest, I feel that the Senate ought not to agree to a conference requested under such circumstances.

There is projected into this message another proposition, which, with all proper respect for the House of Representatives—and I entertain it, as they must for this branch of the legislative department of the Government—and that is, that either is to be restrained or influenced in the exercise of its power of amendment by the rules of the other. Each House, Mr. President, is given by the Constitution the power to adopt rules for its own government; neither House is given power to adopt rules for the government of the other; and the proposition that an amendment adopted to a bill by the Senate, by unanimous consent, if you please, is to be excluded in the other House without regard to the merits of the proposition, but because under the rules of the House it could not have been offered there, is one which I think we ought not to concede.

So, if I had my way about it, desiring as much as any man here can desire perfect harmony between the two Houses, but realizing, as I think everyone here must realize, that in order to that harmony each House must be permitted to proceed in accordance with its own rules and the conferees of each House in the beginning be at liberty to insist or recede and report to their respective Houses their decision. I think this request ought not to be granted.

We have not, that I know of, any joint rules.

Mr. ALLISON. We have not.

Mr. SPOONER. The Senator from Iowa says we have no joint rules; and possibly we ought to have them, but that is a matter for mutual conference and consideration.

I should not be willing that the Senate in any abrupt way should decline this conference, but I think the Senate ought respectfully, under the circumstances, to submit the reasons for its action and to decline the conference. I think the Senate should appoint a committee of three—I would say of the older members of the body—to confer with the proper authorities of the House of Representatives with a view to some adjustment of the procedure which would do two things: First, leave each House to operate under its own rules, and second, lead to full and free conferences, with the right of each House at the proper time to instruct for itself, and in that way to bring about and perpetuate that necessary harmony between the two Houses which we all desire.

I may be all wrong about this. I have no feeling about it in the world except one of regret; but I believe that if the Senate acquiesce in this proposition, there will be no end of it. I believe that within limits we ought to have done it the other day. We ought to present this matter in a dignified, courteous, and proper way to the House, in order that we may be unembarrassed hereafter by similar suggestions.

I want to repeat what I said in the beginning, that I should be quite willing, from what I know of these amendments, to recede from them, but I protest against this method.

Mr. FORAKER. Mr. President, I do not know how I can add anything to what has been so well said by the Senator from Wisconsin [Mr. SPOONER], unless it be the suggestion of a remedy for the difficulty in which we find ourselves. I understand that the Senator from Wisconsin has suggested no way out, except only that in some proper way we communicate with the House our objections to being instructed.

Mr. SPOONER. I said appoint a committee to confer. I only suggested that. I do not know that that is the best way.

Mr. FORAKER. I have another suggestion in my mind which I will say was suggested to me—it did not originate with me—but one that I approve, not knowing of anything better to suggest, unless it is what the Senator from Wisconsin has just now suggested, and that is that we divide the motion which has been made by the Senator from Vermont [Mr. PROCTOR] and instead of agreeing to the conference, as that motion provides, that we simply insist upon our amendments and send the bill back to the House in that form. That will give the House another opportunity to act. It does seem to me that the House, when it comes to consider what has been done and the character of that action, will reconsider it and take a different action. I do not contend that their action is without precedent. There is perhaps a precedent for it, but, if so, what I am about to read will apply and express very well the character of the action that has been taken. I read from the note found on page 12 of Senate Report No. 1545 at this session of Congress:

In Section XLV, Jefferson's Manual, it is stated that "either House is free to pass over the term of insisting and to adhere in the first instance, but it is not respectful to the other. In the ordinary parliamentary course there are two free conferences, at least, before an adherence."

I am sure, Mr. President, that the House does not want to be disrespectful to the Senate.

Mr. SPOONER. I have no doubt of that.

Mr. FORAKER. And the House could not have supposed that taking that action would be regarded by the Senate as disrespectful, and yet I think the House will agree with the Senate and with everybody else, when second thought is taken, that the action is disrespectful and that the Senate can not disregard it and pass it over without sacrificing its own dignity, its own honor, and its own feeling of respect for itself, which it always should maintain.

I do not understand that the Senator made any motion, and in order that I may get an expression of the sense of the Senate in regard to it, as affording a way out of the difficulty and as giving the House an opportunity to recede, which I think the House will when it comes to consider the matter, I ask that the motion made by the Senator from Vermont [Mr. PROCTOR] be divided—that is the proper way, I suppose, to put it—so that we may vote first on that part of the motion which provides that the Senate shall insist on its amendments, with the idea that we will vote down the other part of it, that we agree to a conference; because, Mr.

President, it is useless to talk about a full and free conference with such instructions to the House conferees as the House has given. It may be full and free as to certain of the differences, but it can not be full and free, and therefore it can not be a conference at all, as to the three amendments specified.

I am a little differently situated from the Senator from Wisconsin [Mr. SPOONER] with respect to these amendments. I am a member of the Committee on Military Affairs and participated in the action of that committee, as well as in the action of the Senate, in drafting and reporting and adopting these amendments; but I do not stop here to consider the merits of the amendments. This is entirely aside from the merits of the amendments.

Mr. CULLOM. I wish to inquire whether the amendments referred to, as to which instructions were given to the House conferees, were placed in the bill before it was considered in the Senate, or were the amendments offered in the Senate and adopted by the Senate itself?

Mr. PROCTOR rose.

Mr. FORAKER. The Senator from Vermont [Mr. PROCTOR] rises to answer that question, and I yield to him.

Mr. PROCTOR. Mr. President, the amendments to which the Senator from Illinois refers were adopted by the Committee on Military Affairs, and they were passed by the Senate as reported by the committee.

While I am explaining that matter, permit me to say that I question somewhat the wisdom of the amendments in their entirety. All the principle involved, as I have suggested, is just this: There is an old statute which prohibits the erection of any building costing more than \$20,000 from the appropriation for barracks and quarters.

Aside from that prohibition, this appropriation for barracks and quarters and for military posts is used in large measure indiscriminately for the same purposes; and where they are repairing or rebuilding a post building or constructing a new one, if there is a building to cost more than \$20,000—and some of them frequently do cost more, as in the case of artillery parks, and occasionally where there are double sets of quarters—they sometimes have to straddle, if I may use that expression; that is, they take part of the money for such expensive buildings from the barracks and quarters appropriation, and wherever a building cost more than \$20,000 they go over to the appropriation in the sundry civil bill for military posts. That is sometimes an inconvenience; and this amendment I suppose did that, so far as this appropriation was concerned, with that prohibition. I question whether it ought to be done away with entirely; but I thought it was wise, in view of the contingencies just now, that it should be removed so far as that part of this appropriation was concerned. I have no question but what, if the bill went into a free conference, the differences could be adjusted without any violation of the practice or any injury to the views of the House.

Mr. FORAKER. I am very much obliged to the Senator from Vermont [Mr. PROCTOR] for interrupting and answering the question of the Senator from Illinois [Mr. CULLOM]; but I was about to proceed to answer it, so far as the question related to the action of the committee, just as the Senator from Vermont has done. These amendments were discussed and agreed upon in the Committee on Military Affairs and reported from that committee in the ordinary way. They were not put upon this bill without full consideration. I am unlike the Senator from Vermont in this, that I do not question the wisdom of these amendments. I think there was a necessity for the increased appropriation that these amendments embody, and the wisdom of our providing that we would not be bound in the expenditure of this money by the \$20,000 limit to which the Senator refers is easily demonstrated, it seems to me.

We have a perfect right in legislating in connection with this appropriation bill so to legislate as to make a new law in that particular, just as Congress has a right to repeal any other statute or to repeal any other provision. We found that there was a provision as a general law which was bound to hamper the Department in the expenditure of money which we proposed to authorize them to expend, and that they could not proceed as common sense and as common economy required they should. So we changed the law in such a way as to give to the War Department the authority necessary to judiciously and wisely expend this money.

Mr. President, I do not propose now to discuss this particular amendment. I shall contend for that amendment as a proper one, as one of which I entirely approve when the proper time comes for that; but what we are concerned about now is simply the action of the House. I do not want, although I think the action of the House has been exceedingly disrespectful to this body, to show any disrespect to it in turn, for I do not feel any. I think the action taken by the House, so far as we can criticise it, was taken without proper thought and proper consideration, and I think we ought to give the House an opportunity to correct it. I should be very much surprised if the House should insist

upon the course which we all regard as disrespectful, whether they would so regard it or not; but if they have for this body the respect which this body entertains for that, I am sure they will try to avoid any conflict with even an erroneous opinion of this body as to how in a mere matter of courtesy we should proceed, for the members of that body and the members of this body and the members of every other legislative body must be of the opinion that, in order that there may be efficient and satisfactory legislation, there must be polite intercourse between the two bodies; there must be respectful consideration on the part of each body for the other; there must be no intentional giving of offense and no proceeding that is in the nature of an affront on the part of one body toward the other.

Therefore, I shall insist upon the motion of the Senator from Vermont being divided so that we may insist upon our amendments and send the bill back without agreeing to a conference, and then I think perhaps the House will give us a chance to have a full and free conference—a conference in which we can consider not only the amendments which they have agreed their conferees may consider, but also the ones which they have instructed their conferees not to consider, and that it may be free from any restriction or restraint.

Mr. HOAR. Mr. President, I think the suggestions of the Senator from Ohio [Mr. FORAKER] seem to hit the case exactly, but it occurred to me that possibly we might very slightly vary the method which he has proposed, by simply making our insistence known, without adverting to what the House has done in its message, and that we might very properly pass this vote, that the Senate insists on its amendments and requests a conference, making an original request for a conference as if nothing had happened on that subject before, and then let the House agree to that if they see fit. That will end the whole thing and then this irregular proceeding drops. I think myself, personally, I should like that a great deal better, but I do not think it is of much importance.

Mr. FORAKER. I will say to the Senator from Massachusetts, if he will allow me, that I have no objection at all to accepting his suggestion. I merely made the suggestion I did as a way out of the difficulty.

Mr. HOAR. I will make that motion, if it be in order, as a substitute for that of the Senator from Vermont, or perhaps the Senator from Vermont will accept it.

Mr. PROCTOR. Yes.

Mr. HOAR. I move that the Senate insists on its amendments and ask the House for a free conference, the conferees to be appointed by the Chair.

Mr. FORAKER. Mr. President, before the Senator from Massachusetts takes his seat, I was about to suggest this: That if we act as he has suggested, then the instructions of the House to their conferees stand.

Mr. HOAR. No; they would take a new action on our request for a free conference and let us know they have agreed to that.

Mr. FORAKER. I do not want the conferees of the House to come into conference feeling that they are bound by that previous action of the House, but I want them to come feeling that they are free from it.

Mr. LODGE. If I may ask a question, it is not proposed that we should appoint conferees, is it?

Mr. FORAKER. No.

Mr. LODGE. But simply that we ask for a free conference?

Mr. HOAR. That is all; a free conference.

Mr. LODGE. That we should insist on our amendments and ask for a free conference?

Mr. FORAKER. Yes.

Mr. PETTUS. Mr. President, I have been looking at this question, not in the light of my experience, because it has been too small, but by a reference to the book I notice one proceeding that I merely suggest; and that is that the Senate appoint a committee—not of conference in the ordinary sense—but a committee of conference for the purpose of considering the request of the House for a conference.

I notice that that has been done on several occasions in the Parliament of England. It is not an acceptance of the committee of conference, but it is a committee to confer with the House on the terms which they propose for a conference, instead of a committee of conference itself. I notice that that led to some good results on one or two occasions; and I merely suggest to the venerable Senators who have had experience on this subject that that might be a way out of this difficulty. If that is not done, the proposition of the Senator from Massachusetts [Mr. HOAR] merely ignores the action of the House, which is not considered, according to the authorities, a respectful mode of proceeding.

The PRESIDING OFFICER. The Chair will state the motion of the Senator from Massachusetts as it is understood by the Chair, which is that the Senate insist on its amendments to House bill 12804 and ask for a full and free conference with the House of

Representatives on the disagreeing votes of the two Houses thereon. That is what the Chair understands the motion to be.

Mr. ALLISON. Mr. President, I understand the situation of this bill to be that the Senate made sundry amendments to it and returned the bill to the House of Representatives without asking for a conference—a proper procedure. The House took up that bill, and whoever was in charge of it made a motion that the House disagree to the amendments of the Senate.

Mr. HALE. To all of them?

Mr. ALLISON. Yes; to all of them, and ask the Senate for a conference on those amendments and those disagreements. Thereupon it was moved in the House that the conferees when appointed—I think that motion was made before the conferees were appointed—that those conferees, when appointed, should be instructed not to agree to certain amendments. With that instruction accompanying the bill the bill is now before the Senate.

What I fear respecting the motion made by the honorable Senator from Massachusetts [Mr. HOAR] is that, if we wholly ignore—on that I agree with the Senator from Alabama [Mr. PETTUS]—if we wholly ignore the usual request of the House for a conference, accompanied by an unusual proceeding on the part of the House, we may complicate the difficulty rather than unlock it.

I think it is fairly well understood in the parliamentary law and practice of these two Houses that either House can instruct its conferees in any particular manner. The form of that instruction, of course, is a matter for the House giving it to consider in the first instance, and the reason for that instruction, of course, can not be known here. The House say, in the preamble to the resolution they present to this House, that the Senate amendments are in violation of their rules. That may be a good reason for them, but it is not binding at all upon us. So we are now confronted with what we regard as a discourteous statement on their part as the reason they give for the passage of that resolution.

We are not to be disturbed by such resolutions, as it seems to me. As I understand our powers here, they are certainly coequal with the powers of the other House. There is no restraint upon our power of amendment that I know of. We can amend any bill that comes here as we choose to amend it, either under our rules or by unanimous consent. We had put on here the particular amendment—I do not wish to discuss the amendment—that is now in dispute, which was an amendment that was in violation of our rules, because it changed the existing law, but it was done without objection. Therefore, we can not raise that question, and certainly the House can not raise it as against us, because we do not allow them to deal with our rules any more than they allow us to deal with theirs.

So protesting, as I think we have a fair right to do, that this resolution is not in a form that is agreeable to us, and my judgment is—it may be taken for what it is worth—that we should, after this protest we are making, agree to the conference. Suppose we do agree to it. The conferees then meet, and the House conferees are confronted with their instructions, which they must in some way impart to our conferees.

Mr. SPOONER. It is not necessary that they shall impart them to our conferees because the House has imparted them to us.

Mr. ALLISON. Very well. Then we have them now.

Mr. SPOONER. I should like to ask the Senator a question.

Mr. ALLISON. I shall be glad to answer it if I can.

Mr. SPOONER. If the Senator from Iowa and I had a difference about some matter, which we never have had—

Mr. ALLISON. And I hope never will have.

Mr. SPOONER. And we never will have, and I invited him to a conference to determine whether we might not agree, and notified him that I was prepared to agree if he surrendered, and not otherwise, would he come?

Mr. ALLISON. I would, probably, feeling kindly, as I do, to the Senator, and I should say to him, "I will not refuse, certainly, to come and talk to you about this."

Mr. SPOONER. Yes.

Mr. ALLISON. "But I want you to understand in the beginning, if that is your attitude, there will be no change in our situation."

Mr. SPOONER. That is not this case. We understand it in the beginning. The Senator would come and shake hands with me—

Mr. ALLISON. I would.

Mr. SPOONER. And he would flatter me, and make me feel good, as he does everybody else—

Mr. ALLISON. I try to.

Mr. SPOONER. But that would be the end of it.

Mr. ALLISON. I would try to persuade the Senator. Suppose our conferees get into this conference. I take it we can trust almost any of our brethren here, especially do I think we can trust our distinguished neighbor, the Senator from Vermont [Mr. PROCTOR], to deal with this matter frankly and justly, and persistently, according to his own notion. I think he would.

Mr. SPOONER. How could the Senator from Vermont deal with it persistently when he knew before he was appointed on the conference committee that the House had instructed its conferees not to agree to a certain amendment?

Mr. ALLISON. There are several methods of doing it. In the first place, he could say what Mr. Reed, the ex-Speaker of the House, has often said, and what I believe is well understood, that when the House instructs its conferees and those conferees get into conference, it is still a full and free conference; that the conferees are not bound by those instructions, and that the House conferees, notwithstanding the instructions, if they are so minded, can act differently. They do not settle the question in conference. They settle it in the House when the conferees come back and make a report violating their instructions.

Mr. SPOONER. Will the Senator from Iowa allow me to ask him a question?

Mr. ALLISON. I will.

Mr. SPOONER. I admit the right of the House to instruct its conferees. Has the Senator known, except within the last ten days, of a request for a conference accompanied by a message that the body requesting the conference had instructed its conferees not to recommend to it an agreement to a particular amendment?

Mr. ALLISON. I do not know of any instance prior to the last ten days, but that is a matter we can not avoid. I shared the prophecy of my friend the Senator from Maine the other day when he said this would not occur again. But it does not change the attitude of this proceeding, so far as the House is concerned, that they have notified us what they have done.

Mr. SPOONER. Will the Senator yield?

Mr. HOAR. I wish to ask the Senator from Iowa a question, if I may?

Mr. ALLISON. Certainly.

Mr. HOAR. It is whether this is a free conference and whether Speaker Reed's authority goes this far. Undoubtedly you may have a free conference, as in the case supposed by the Senator from Wisconsin in his question, when you have a resolution in your mind that you are never going to yield. That is a free conference still as between the conferees; and when the House instructs its conferees, that is a resolution in its own mind, and still so far Speaker Reed is undoubtedly right. But when you tell the other party that you are not going to yield ever, and that the party who is your organ in considering whether you shall yield has not any right to yield or to propose to yield, is that a free conference?

I did not mean, when I got up, to do more than to call the Senator's attention to a point, but perhaps he will allow me to state one sentence more, so that he can answer it. It seems to me that is the distinction, and that it is not a free conference which the House has asked.

Now, the Senator from Ohio proposed a motion which ignores, as the Senator from Iowa thinks mine does, the request of the House.

Mr. ALLISON. Undoubtedly.

Mr. HOAR. He proposes to insist and say nothing about it. My proposition is to insist and to tell the House before we act upon their final proposition at all that we would like first a free conference. It does not seem to me to be disrespectful to them as ignoring what they ask. The free conferences precede, in the putting of motions, a motion to adhere, I believe. The more lenient proposition, if moved from the floor of either House, the proposition more likely to lead to an agreement, is always put before the stricter proposition. That is, you would put the motion to insist before you put the motion to adhere, if I am not mistaken in my memory.

I wish to call the attention of the Senator from Iowa to this point: Has the House invited us to a free conference, and does Mr. Reed's expression, which is undoubtedly true, that an instruction to its own agent, kept in its own bosom—as we are not supposed to know what happens in the House—apply in this case? That is what I want to put to the Senator from Iowa.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. ALLISON. I do; but I had a pretty long question put to me by the Senator from Massachusetts which I should like to answer.

Mr. FORAKER. I would not interrupt the Senator from Iowa at this point, knowing he wants to answer the question of the Senator from Massachusetts, if it were not for the fact that while this discussion has been going on I have been trying to consult authorities on the subject, and I believe I have found a case precisely in point, occurring in the House, in complete support of the motion made by the Senator from Massachusetts and a way out of this difficulty.

Mr. ALLISON. If the Senator from Ohio has such a case I shall be glad to know it.

Mr. FORAKER. As I understand it, it is, and I thought the Senator would be glad to have the benefit of it.

I read from paragraph 1381 of House Documents, volume 80, No. 576, Parliamentary Precedents of House, Fifty-fifth Congress, second session, 1897-98:

On March 2, 1891, Mr. E. H. Funston—

We have recently heard that name here—

of Kansas, as a privileged question, from the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill of the House (H. R. 13552) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1892, reported that they had been unable to agree.

The Speaker laid before the House the following resolution of the Senate: "Resolved, That the Senate insist upon its amendments to the bill (H. R. 13552) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1892, disagreed to by the House of Representatives, including the amendment numbered 17, referred to in the message from the House, and agree to a free conference on the disagreeing votes of the two Houses thereon."

Then Mr. Funston submitted the following resolution:

"Resolved, That the House ask for a free conference."

After debate, Mr. Robert M. La Follette, of Wisconsin, moved that the House recede from its disagreement to the amendments of the Senate and agree to the same. After further debate, Mr. La Follette withdrew the motion.

The question recurring on agreeing to the resolution of Mr. Funston, the previous question was ordered, and under the operation thereof the resolution was agreed to.

Mr. CANNON submitted the following resolution:

"Resolved, That it is the sense of the House of Representatives that said conference shall not agree to the amendment of the Senate numbered 17."

Mr. Funston made the point of order that, being in direct conflict with the resolution just adopted, the resolution submitted by Mr. CANNON was not in order.

The Speaker sustained the point of order, and the resolution was not received.

That, as I understand it, is a complete support of the motion which has been made by the Senator from Massachusetts. The only difference between the cases is that there the trouble originated in the Senate in sending instructions to the House instead of the House instructing its conferees in the way indicated.

Mr. ALLISON. I do not read that quite as the Senator from Ohio reads it. After the conference was ordered in that case, which was a full and free conference, then Mr. CANNON undertook to have the House instruct the conferees, and as I understand that case as read by the Senator the Speaker ruled that it was inconsistent with the former resolution and therefore not in order. Of course that is leather and prunella.

The question with which we are confronted is, what we shall do now to show to the other body that we do not take kindly to their asking of us a conference and before we agree to it instructing their conferees what they shall do at that conference. That is an unusual proceeding, as I understand the authorities. But it is a proceeding that either House may engage in, I understand. Although it is exceptional, it has been done.

My objection to the suggestion of the Senator from Massachusetts is that if we intend to show the House that we disagree with them as respects their power and right to notify us of these instructions I think we should do it in some other form than by ignoring a resolution which has come to us from the House. I think that is true, and it applies as well, in my judgment, to the proposition of the Senator from Ohio as it does to the proposition of the Senator from Massachusetts.

Mr. FORAKER rose.

Mr. ALLISON. If the Senator from Ohio will allow me a moment more, the prime object of the two Houses must be to do whatever can be done to facilitate the passage of bills that are necessary to carry on the Government. That is the primary object. Whatever the House may do, that is our primary duty. It is so to act, judiciously and fairly, preserving the dignity and the privileges of the Senate, as, if we can, to bring the two Houses together upon the Army appropriation bill. In order to do that, it seems to me, having made a protest against the action of the House, we can reach this end very well by agreeing to the conference and trusting our conferees to deal with this question when they get into conference with the House.

I do not know what our conferees will do, but if I were a conferee I should say to the conferees on the part of the House, "Gentlemen, you seem to be handicapped here, and until we are all upon a par, we must have a disagreement, not only upon the amendment about which you speak, but upon every other amendment." Then the two Houses would be in disagreement, and they can untangle and unravel this thing without any trouble, unless it is the purpose of one or the other of the Houses to have a quarrel, and that bodes no good to the interests we all have at stake in passing these bills, which must be passed through at this session of Congress.

I am willing to adopt any suggestion that can be made, but it seems to be we should have a care that we do not, in presenting resolutions upon this subject, get ourselves into further difficulty.

Mr. COCKRELL. Will the Senator from Iowa yield for one moment to a question?

Mr. ALLISON. I will.

Mr. COCKRELL. Many other amendments were made by the Senate to the Army appropriation bill?

Mr. ALLISON. Many.

Mr. COCKRELL. Will not all the other amendments be in a free conference?

Mr. ALLISON. I suppose they will.

Mr. COCKRELL. Necessarily so.

Mr. SPOONER. Will the Senator from Missouri allow me to ask him a question?

Mr. COCKRELL. Wait until I get through questioning and then I will answer your question. Now, when the conference committee have met and they have agreed upon some and disagreed upon other items, this amendment is disagreed to. Does not the House have to consider and vote upon it?

Mr. ALLISON. Undoubtedly.

Mr. COCKRELL. Necessarily so.

Mr. ALLISON. As we do.

Mr. COCKRELL. As we do the same. So it does not preclude any final action. When it comes back to the House the House can move to agree to the amendments, just as we can move to recede from the amendment. They can do that, can they not?

Mr. ALLISON. Undoubtedly.

Mr. COCKRELL. Certainly. If they were to move to agree to the amendment that would set aside this resolution.

Mr. ALLISON. Of course. It may be a long road or a short one, but it is a proper road to travel—

Mr. COCKRELL. Certainly.

Mr. ALLISON. And one that has often been traveled before.

Mr. SPOONER. Will the Senator from Iowa allow me to ask the Senator from Missouri a question?

Mr. ALLISON. I yield the floor.

Mr. SPOONER. I do not want the floor. If this resolution, passed by the House of Representatives and sent to us with the request for a full and free conference, had embraced all the amendments proposed by the Senate—

Mr. COCKRELL. That is not a debatable proposition.

Mr. SPOONER. It is a debatable proposition.

Mr. COCKRELL. Not at all.

Mr. SPOONER. It is a debatable proposition, because if the House has a right to make such an instruction in limine, and to send it to us as to one amendment, it has the right to do it as to all.

Mr. COCKRELL. That would mean there would be no legislation; that is all.

Mr. SPOONER. Why?

Mr. COCKRELL. I do not presume the House would ever take such a position. I suppose it is a reasonable legislative body, and that is not a supposable case.

I did not rise to make a speech upon this question. In my judgment, beyond any question the House has the technical right to pass an instruction, and I do not see that it makes much difference, except as a mere matter of courtesy, whether that is done before it has been thrown into conference or after; and I hold that the Senate has the right to instruct. I remember only a few years ago when the Senate did take a very decided position. While they did not act openly upon it, the Senate Committee on Appropriations very frankly told the members of the House conference committee that there would be no legislation until the amendment was agreed to. It was to pay the clerks of Senators, and in the end it was agreed to. The House had been refusing to agree to pay the clerks of Senators or to make any appropriation for them, and the Senate took that position. It was a controversy which extended for a little while; but it came to an end, as all those things must come to an end.

Mr. TELLER. I suggest to the Senator from Missouri that that was simply what is done frequently in conference. That is quite a different thing from the House instructing its agents that they shall not confer upon a subject. At this conference, if it is appointed, under the motion of the Senator from Vermont, the House members will be precluded from any discussion of this one amendment, if they pay attention to their instructions.

Mr. COCKRELL. The great trouble seems to be that the House has sent us a copy of the instructions. If they had them to themselves there would not have been a word said about it.

Mr. TELLER. If they had done that, I suppose it would have been within the precedents. It would not have seemed quite so discourteous as this proceeding seems to be.

Mr. SPOONER. Will the Senator allow me to call his attention to a case in the volume cited by the Senator from Ohio?

Mr. TELLER. Certainly.

Mr. SPOONER. I will read it.

On February 23, 1891, the House was considering the bill (H. R. 10881) to amend the laws relating to copyrights, with amendments of the Senate thereto, and a request for a conference with the House on the bill and amendments.

Mr. William E. Simonds, of Connecticut, moved that the House nonconcur in the Senate amendments and agree to the conference asked by the Senate. The House voted to nonconcur and agreed to the conference. Thereupon Mr. Lewis E. Payson, of Illinois, submitted the following resolution of instructions to the conferees:

Resolved, That the conference committee be instructed to insist on in-

grafting upon the bill in conference the principles involved in the following bill." [Here followed the text of a new bill.]

Mr. Simonds made the point of order against the instructions proposed: First, that these instructions, if adopted, would do away with the sole text of the bill, to which both Houses had already agreed, and were not permissible under the practice and the precedents of the House. Again, that it was not permissible to instruct the conferees in the first instance and before they had met and disagreed.

The Speaker sustained the point of order.

Mr. TELLER. Who was the Speaker?

Mr. SPOONER. Mr. Reed. Then there was a first conference, which was a full and free conference, and a disagreement reported. Then follows the case cited by the Senator from Ohio.

Mr. TELLER. Each House is a judge for itself of what is courteous and proper. No law ever has been made, and I suppose none could be made, that could bind them in matters of that kind, but there ought to be no proceeding which can be considered by the other body as disrespectful. When a body, the House of Representatives or the Senate, appoints conferees for the first time and then says to them, "You are to stand against this particular amendment or these certain amendments and allow the bill to fail rather than yield," I think that is discourteous and disrespectful treatment of the other body.

I think you might just as well start in and determine what is the right of the House and what is ours. Of course I do not care about referring to what occurred in the House, but I looked over the proceedings, and it seems to me the real controversy is that we have not the right to make amendments; that if we put on an amendment which interferes with the statute it is a violation of the rules of propriety. We have done that a hundred times since I have been in the Senate. We have set aside statutes by provisions in appropriation bills and other bills. I believe the wise thing would be in some way to get into conference with the House as to their rights and as to ours. I think this matter ought to go to some committee like the Committee on Appropriations or the Committee on Rules and a courteous statement be made to the House of what we think is due us and what we are going to insist upon in the future.

Now, when the House voted not to accept our amendments it was an instruction enough, it seems to me, to the conferees at least for the time being. I know that sometimes when there has been a controversy lasting for some time between conference committees both bodies have given instructions either to recede or to adhere. But what I am particularly interested in is to get some ruling which shall not allow these things to be done in the future. The other day we had the same thing. We were told then that the attention of the House having been called to it we probably would not have any more trouble of this kind. Here within a week comes another. I believe if the motion of the Senator from Vermont is accepted you will have this thing repeated indefinitely, and it will be a source of continual friction between the House and the Senate, a source of continual irritation, I may say, and ill will, and in some way we ought to bring the matter to a head.

Mr. LODGE. Mr. President, the Senator from Missouri [Mr. COCKRELL] said if the House had not sent this instruction over to us nothing would have been heard of it. The sending of it over to us is the entire point, as it seems to me. They have a right to instruct their conferees; we have a right to instruct our conferees; but when the House by solemn message say to us as the Senate that they will not accept a given amendment or a number of given amendments the full and free conference is at an end. It does not matter whether it is an amendment of one word or whether it is every amendment offered. It is the principle. If they send us a message to that effect, a full and free conference is at an end.

There is more than that. The point to which the Senator from Colorado [Mr. TELLER] has called attention—the right of the Senate to amend—is involved, in my judgment, in this controversy. If we keep on yielding to messages from the House, as we yielded the other day, we shall soon find our entire right of amendment questioned whenever the House does not happen to fancy any particular amendment which we put on. We had the case the other day, and Senators wiser and more experienced than I said it was an unprecedented thing and that it was better not to take notice of it; that it never would happen again. We followed that advice, and the matter went into conference. We took no notice of it, and within ten days the unprecedented thing happens again. If we do not meet it at the threshold, we shall have to meet it in a very short time in a much worse form.

It seems to me we ought to take up this question through our Committee on Rules, which is the organ of procedure of the Senate, and discuss the question with the House as to this matter of general instructions sent in the form of a message to the Senate. I think we ought to have that decided. I care nothing about the amendment involved in this particular case, but I think we ought to have that broad question decided. If the House is going to send a message to us saying "We will not take an amendment that you have put on," the day is not far distant when the Senate will begin to send messages of a similar kind to the House, and there you breed deadlocks and controversies, when the very

object of our rules and of all parliamentary law is to bring the two Houses to an agreement.

I hope, Mr. President, that we shall adopt either the motion made by my colleague or do what I myself think would be much better. I advance the idea with hesitation, but I think it would be better to refer this question to our Committee on Rules to take up and report to the Senate, and to ask, perhaps, a conference with the House on the question of one House sending instructions to the other body notifying the other body beforehand that they will not agree in a conference.

Mr. COCKRELL. Will the Senator yield to a question?

Mr. LODGE. With pleasure.

Mr. COCKRELL. Would not that revive the old celebrated question that came up in the First Congress between the Senate and the House and which consumed a vast deal of time in discussion as to how messages should be sent from the Senate to the House and from the House to the Senate? Would it not open that old question of courtesy between the two Houses and the reports made upon it as to how the messages of the House should be delivered to the Senate and how the Senate should send messages to the House and all that? It seems to me that it would revive the old question which took Congress a good long while to decide as to how the two Houses would communicate with each other.

Mr. LODGE. It is perfectly easy as to how the Houses shall communicate with each other. The question is whether in asking conferences either House in instructing its conferees shall notify the other body beforehand that it will not agree to a specified amendment. If that is to be the practice, it must be the practice for us as it is for them. We do not want it to be the practice. We hope we can get them to agree that it shall not be the practice. We hope that action shall be taken, as before in the House and in the Senate, in regard to conferees, and not have one body send a formal notice to the other body that no agreement is possible. It is as bad as a motion to adhere.

Mr. PETTUS. I desire to call the attention of the Senator from Massachusetts to the fact that this is not only telling us that they will not agree to anything, if it stopped at that it would possibly be bearable, but it tells us "You have no right to put it on."

Mr. LODGE. Certainly; it goes much further than that.

Mr. PETTUS. It seems to me we ought to have a conference on the message.

Mr. SPOONER. I think that is right.

Mr. CULLOM. Now, what is the motion?

Mr. BATE. Meanwhile what is going to become of the motion of the Senator from Vermont?

The PRESIDING OFFICER. The Senator from Vermont allowed the Senator from Massachusetts to present a motion as a substitute for his, and the motion of the Senator from Massachusetts is that the Senate insist upon its amendments to the bill and ask for a full and free conference on the disagreeing votes of the two Houses thereon.

Mr. LODGE. Then, as a substitute to the motion of my colleague, I move that the message of the House which accompanied the Army appropriation bill be referred to the Committee on Rules to consider and to report, and if necessary to confer with the other House in regard to it.

Mr. HOAR. That motion is not in order technically. That is not one of the motions which can be made when a measure is pending. It will have to be an independent resolution of itself, leaving this matter still untouched and undisposed of. My colleague might move to commit the bill with all the pending motions to such a committee.

Mr. LODGE. Very well; that is better. I move, then, to commit the bill and the message of the House and all pending motions to the Committee on Rules.

Mr. FORAKER. I hope the senior Senator from Massachusetts [Mr. HOAR] will insist upon his motion. I believe it is the best way out of this difficulty. It does not seem to me possible that the House will hesitate to respond favorably to a respectful request of the Senate for a conference. I think it is the best way to meet the message, which we regard as disrespectful. We simply ignore it. It is not necessary to have a controversy about it. If this matter is referred to the Committee on Rules for that committee to take up and consider, you will give rise to a parliamentary inquiry and parliamentary questions about which we may be debating here for nobody knows how long. I think the best way is simply to ask the House for a full and free conference on the bill and pay no attention to the message.

Mr. TELLER. I should like to have the motion of the senior Senator from Massachusetts read again.

Mr. FORAKER. I want to say in just one word that the point of the authority I cited a moment ago was just that. That is all the House did. They asked for a conference.

Mr. LODGE. I have no desire to press the motion for a reference to the committee. My object is to avoid assenting to a conference on the present terms, and the sooner we bring it to an end the better. I withdraw my motion.

The PRESIDING OFFICER. The junior Senator from Massachusetts withdraws his motion.

Mr. FORAKER. I quite agree with the junior Senator from Massachusetts in that respect. If our request should not be favorably acted upon, we can then, if necessary, resort to this further action which has been suggested. I think the simplest and easiest way out of it is to adopt the motion made by the senior Senator from Massachusetts.

The PRESIDING OFFICER. The junior Senator from Massachusetts withdraws his motion to commit the bill with the message and the motions to the Committee on Rules, and the question is on the motion submitted by the senior Senator from Massachusetts.

Mr. TELLER. Let it be read.

Mr. ALLISON. I should like to ask the senior Senator from Massachusetts what he proposes to do with the message that accompanied the bill from the House. What motion, if any, does he make respecting that, or does he ignore it?

Mr. HOAR. I do not understand that we make the motion upon a message which comes from the House here as such. That is not the way we make the motion. The motion is one of the motions that is in order in a certain stage of the bill. I suppose that it ignores the message, of course, just as the motion of the Senator from Ohio that we insist and say nothing about it ignored the message. Suppose the House had asked us something else? Suppose the House had asked us to join them in services in commemorating any public event—the Fourth of July—on a certain day and at a certain time in their Chamber, and without saying anything about joining in that celebration of the House we asked the House for a conference on that subject? When we ask for a conference, whether free or otherwise, we are not bound either to dissent or assent from the thing we are conferring upon. The House sent here in substance a message saying that "we have disagreed to your amendments," and ask for a kind of a conference which, in our judgment, is not free. Without saying anything about having a kind of conference which in our judgment is not free, we send over to the House a message saying, "We ask you to give us a free conference," leaving the message of the House in abeyance until we hear what comes of the free conference. It seems to me that there is no parliamentary difficulty about the proposition.

Mr. ALLISON. I did not ask my question with a view of suggesting a parliamentary difficulty. I was wondering what the House might say to our message, we ignoring theirs.

Mr. HOAR. I should think from the experience of the last two weeks whatever happens we may well wonder what the House will think. Nobody can tell about that.

The PRESIDING OFFICER. The question is on the motion of the senior Senator from Massachusetts. [Putting the question.] In the opinion of the Chair the ayes have it.

Mr. PETTUS. If that motion is to be put, I would want to move an amendment to it. I want it to say "in reply to the message from the House," and then follow the motion as made. I want it for an answer, sir. I do not think the Senate ought to ignore the message of the House and add rudeness to rudeness.

Mr. HOAR. It does not seem to me that it is rudeness. It seems to me that when we are asking for a free conference on the situation and everything we want to have that free conference before we decide on the message. We do not say whether we will assent or dissent. It is a preceding step. The House has sent us a message, and we reply that we would like to talk the matter over with you freely. That is all there is of it.

Mr. TILLMAN. Mr. President, the Chair not having announced which way the vote was, I should like to have the motion or resolution of the Senator from Massachusetts read, so that we may vote more generally, or have the yeas and nays, if necessary.

The PRESIDING OFFICER. The Chair understands the motion of the Senator from Massachusetts to be that the Senate insists upon its amendments to the Army appropriation bill and asks a full and free conference with the House on the disagreeing votes of the two Houses thereon. That is what the Chair understands the motion to be.

Mr. HOAR. That is it.

Mr. TILLMAN. Then I should like to have some further light as to whether that would be notice to the House that their request for a conference is not for a full and free conference, but one under limitations.

Mr. CULLOM. That is exactly what it means.

Mr. TILLMAN. We simply return to them a message without any action, and ask for a full and free conference; and if they do not grant that then we will consider their message and take such further steps as will subserve the purposes of maintaining Senatorial dignity and right.

Mr. SPOONER. The way it stands is this: The Senator asked for light.

Mr. TILLMAN. I want light.

Mr. SPOONER. I am not sure that I can give it to the Senator, but the way it seems to me, and I may need light myself, is this: The House insists upon its disagreement to the Senate amendments, and asks for a conference. In reply to that we send back to them a message that we insist upon our amendments, and ask for a conference.

Mr. TILLMAN. But did not the House instruct its conferees?

Mr. SPOONER. I am not speaking of that. I am speaking about the parliamentary situation.

Mr. TILLMAN. It seems a little tangled.

Mr. SPOONER. That is the way it stands.

I have a notion, Mr. President, that the Senator from Alabama [Mr. PETTUS] has the true solution of this difficulty, and he finds authority for it in the parliamentary proceeding of England.

The PRESIDING OFFICER. The Senator from Alabama will prepare any amendment to the motion he may desire.

Mr. SPOONER. In a situation of this kind we appoint a committee, pending the action of the Senate on the message of the House, to confer with the House as to the privileges and rights of the two Houses.

Mr. LODGE. That is the motion I proposed.

Mr. FORAKER. The suggestion, and it has been repeated, is based upon the idea that in adopting the motion made by the senior Senator from Massachusetts we are not making answer to the House message. I think that is a mistake. I think we are answering it. The House sends us a message and this is our answer to it. We want a full and free conference. It is not necessary for us to specify that we send you this in answer to your message, in answer to your letter of instructions, and your letter communicating to us knowledge of your rules by which you are bound. It is not necessary for us to specify that that is the office of the communication we send. That will, necessarily, be so understood. They have asked for a full and free conference, and at the same time have sent us a message which reveals the fact that they have denied to us a full and free conference. Three of the amendments they have instructed their conferees not to agree with us about. Now, we simply answer in a polite, reasonable way, requesting a full and free conference. It seems to me that that will unravel the whole difficulty, for I can not believe that the House will hesitate to grant a full and free conference.

Mr. SPOONER. Will the Senator from Ohio allow me to say that that ignores, so far as the Senate is concerned, absolutely the request of the House. Does the Senator think that is calculated to promote harmony?

Mr. FORAKER. I differ from the Senator when he says that that ignores it. I do not think it is an ignoring of it. I do not think that we have to refer to it in specific terms in order to answer it. They send us this request and we send back a message that we want a full and free conference.

Mr. HOAR. May I suggest to the Senator right there that it is the common practice. The House sends over a bill and requests for it the assent of the Senate. We send back a request asking for a conference before we decide whether we assent to it or not. We have a perfect right to do it. It is not ignoring anything. It is the common way of stating that on the whole situation, as we understand it, we would like to talk it over with you. That is the whole of it.

Mr. FORAKER. I am obliged to the Senator for his suggestion. There can not possibly be any misunderstanding of our message from the fact that it has direct relation to the communication they have made to the Senate, and it does seem to me to be the surest way to avoid any friction or lack of harmony in this proceeding. But on this we are lacking in harmony just now, and we do not want to make it worse.

The PRESIDING OFFICER. The Senator from Ohio will allow the Chair to state the condition of the motion. The Chair put the question and called for the ayes and noes, and not being able to decide, debate sprung up. The Chair will put the motion again, if it is desired.

Mr. TILLMAN. I should like to ask for a little more light before I vote.

Mr. LODGE. Mr. President, I think the hour of 2 o'clock has arrived.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

Mr. LODGE. The Senator from Idaho [Mr. DUBOIS] gave notice that he would speak to-day, and he has waited very patiently during the whole morning hour. I hope nothing more will be done to prevent him from taking the floor.

Mr. TILLMAN. We will wait and get light in the morning.

Mr. CULLOM. On Monday morning.

The PRESIDING OFFICER. The Chair at this time, with

the permission of the Senator from Idaho, will lay before the Senate some matters on its table.

Mr. DUBOIS. Certainly.

STATUTES OF LIMITATIONS IN CERTAIN LAND CASES.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 4264) providing that the statutes of limitations of the several States shall apply as a defense to actions brought in any courts for the recovery of lands patented under the treaty of May 10, 1854, between the United States of America and the Shawnee tribe of Indians."

The amendments were, on page 1, to strike out all after line 6, down to and including "Indians," in line 9, and to insert "any tribe of Indians under any treaty between it and the United States of America."

On page 2, line 4, to strike out "the" and insert "any."

On page 2, line 5, to strike out "Shawnee."

And to amend the title so as to read: "An act providing that the statute of limitations of the several States shall apply as a defense to actions brought in the United States courts for the recovery of lands patented in severalty to members of any tribe of Indians under any treaty between it and the United States of America."

Mr. HARRIS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

PUBLIC BUILDINGS.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. FAIRBANKS. I move that the Senate insist upon its amendments and agree to the request of the House for a conference.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. FAIRBANKS, Mr. WARREN, and Mr. RAWLINS were appointed.

FOOD ADULTERATION, ETC.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9960) to prevent a false branding or marking of food and dairy products as to the State or Territory in which they are made or produced, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MCCUMBER. I move that the Senate insist on its amendments and accede to the request of the House of Representatives for a conference.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate; and Mr. MCCUMBER, Mr. McLAURIN of South Carolina, and Mr. HARRIS were appointed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 23d instant approved and signed the act (S. 3439) to amend an act entitled "An act to license billiard and pool tables in the District of Columbia, and for other purposes."

The message also announced that the President of the United States had on this day approved and signed the following acts:

An act (S. 2951) granting an increase of pension to Maria J. Wilson; and

An act (S. 1295) to amend an act authorizing the construction of a railway, street railway, motor, wagon, and pedestrian bridge over the Missouri River near Council Bluffs, Iowa, and Omaha, Nebr., approved February 13, 1891, and amended by an act approved January 28, 1893, and by an act approved April 21, 1898, and to authorize the Omaha Bridge and Terminal Railway Company, successor to the Interstate Bridge and Street Railway Company, to complete, reconstruct, and change a bridge for railway, street railway, vehicle, pedestrian, and other highway purposes over the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr.

CIVIL GOVERNMENT FOR THE PHILIPPINE ISLANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

Mr. DUBOIS. Mr. President, there are two propositions before

the Senate, and we are called upon to decide for the people of the United States which one we will indorse by our votes.

One is presented by the majority of the Committee on the Philippines, representing the views of the Republicans, the other by the minority of that committee, reflecting the views of the Democrats of this Chamber.

It is quite likely that the majority proposition does not meet the approval of all the Republicans and that the minority substitute is not satisfactory to all the Democrats. It is quite certain, however, that the policy outlined in the majority bill is satisfactory to the Republicans, as the policy marked out in the minority bill is satisfactory to the Democrats in the Senate.

The main question is as to which policy we shall adopt in dealing with the Philippine Archipelago. This is the question, then, which the two bills plainly present.

The difference is so clear and well defined that no one here or elsewhere need be in doubt.

For the very first time the question is plainly submitted to the people of the country and their verdict is asked.

Let me state the difference in simple language between the policy of the Republicans and Democrats before entering into an argument.

The Republicans intend to hold the Philippines subject to the United States in all things, without giving any hope, much less a promise, of ultimate independence. So far as anywhere appears, the Filipinos are to remain a colony of the United States for all time to come. For the immediate present, and for the indefinite future, all of their possessions, lands, timber, mines, and waterways are to be parceled out to our own people under such restrictions only as we ourselves shall impose. The Filipinos are to have no voice in the disposal of their own. They are to be taxed as we will, but have nothing to say as to the disposition of the taxes collected. After we have become satiated, after we have exploited the country, we are at liberty to remain or to leave as seems best to us. Our own wishes are to guide and control our future actions. There is nothing in the policy of the Republicans which is anywhere apparent to indicate that the wishes or desires of the Filipinos are to be taken into consideration now or in the future.

The policy of the Democrats is to give the Filipinos an independent government at the earliest practicable moment. This is clearly set forth and solemnly guaranteed. In the meantime, and until the Filipinos establish such a government for themselves as is suitable to their conditions, we propose to keep and protect their country and their possessions for their own use.

The contrast between the two policies is sharp and well defined. There can be no such thing as mistaking the difference between the two propositions before you. The majority intend to hold the islands for all time as a colony. The minority intend to give them an independent government as soon as possible. The majority intend immediately, and in the future, to exploit the islands for the advantage and gain of our own people. The minority intend to hold the archipelago for the Filipinos, and turn it over to them when they have established a government of their own.

I shall endeavor to demonstrate that I have correctly stated the difference as to the policy between the two parties, as shown in the two bills before us, although I am not certain that anyone objects to the accuracy of my comparison.

I take the bill of the majority. Its title is "A bill temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes." There certainly is nothing in that title to hold out any hope of independent government for the Filipinos, and nowhere in the bill do you find any language conveying any more hope. Who is to provide for the administration of the affairs of civil government in the Philippine Islands? It is plainly set forth in all the succeeding sections of the bill that the United States is to administer the affairs of civil government of the Philippine Islands, utterly regardless of the wishes, suggestions, or protests of the inhabitants of the islands.

There is no intimation anywhere in the bill that at any time in the future or under any circumstances will the United States cease to administer the affairs of civil government in the Philippine Islands. It must be assumed, then, and can not be controverted, dodged, or evaded, that the United States intends to make a perpetual colony of these islands. No Republican Senator has denied this in this debate, and some have exultingly proclaimed it.

The title of the bill is "temporarily to provide for the administration of affairs of civil government in the Philippine Islands, and for other purposes." Let us see what some of the other purposes are.

Section 5 of the bill provides for the taking of a census. Section 6 of the bill says:

That after the report of such census the Philippine Commission shall fully report to the President and to Congress their recommendations based upon such census and upon the operation of the local governments herein-after provided for, whether or not all or certain of the Philippine Islands are capable, fit, and ready for the establishment of a permanent popular representative government.

There is nothing in this section which would compel Congress to act. They are simply to report to the President and Congress their recommendations, and there is nothing in the section which says it shall be a permanent popular representative government of the Philippines or an independent government. They simply report to Congress, giving Congress the power to act if they want to do so. There is nothing compelling Congress to act, and it does not intimate in the slightest degree that an independent government is to be given.

Section 7 confers certain powers on the Philippine Commission which are no greater than the powers already conferred on that Commission. They are about the same, certainly not greater, in the light of the contention I make, which is that there is nothing in the bill or in the utterances of Senators looking to the independence of those islands.

Section 13 authorizes the government of the Philippines to lease, let, and demise to actual occupants and settlers and others, for a term of not more than five years, such parts of the public domain other than timber and mineral lands of the United States in the Philippine Islands as it may deem wise, not exceeding 160 acres, or its equivalent in hectares, to any one person, nor more than 5,000 acres to any corporation or association of persons.

I call attention to that to emphasize the fact that we are doing there what we have never been able to do in the United States. As one of the representatives in the other branch of Congress and in this of a portion of the Western section of the country, I have been confronted with this proposition many times. It is now in the air that some Senators favor the leasing of public lands; but Congress has never shown the slightest disposition to lease public lands in large tracts. We can demonstrate at any time that such a policy always has been and always will be very injurious to the country. Yet in the Philippine Islands we make provision for the leasing of lands in tracts of 5,000 acres.

The mineral-land provision of the bill is a most excellent one. It is all right as a law for the United States, and it is almost identical with our own mineral-land law, but its effect will be to encourage foreign people to take possession of these mineral lands against the wishes of their true owners. As a section it is all right, but my contention is that we ought not to adopt such a provision for the Philippine Islands, to take the mineral lands away from those people and allow our own people to take them.

On page 41 of the bill will be found section 68, which provides for the issuance of bonds for betterments and improvements in municipalities, etc. Who is to decide whether it will be wise to issue bonds for such improvements or not?

Mr. SPOONER. Does it not define the purposes for which the bonds are to be issued?

Mr. DUBOIS. Yes.

Mr. SPOONER. What are they?

Mr. DUBOIS. I will read the section:

SEC. 68. That for the purpose of providing funds to construct sewers, to furnish adequate sewer and drainage facilities, to secure a sufficient supply of water, and to provide all kinds of municipal betterments and improvements in municipalities, the government of the Philippine Islands, under such limitations, terms, and conditions as it may prescribe, with the consent and approval of the President of the United States, may permit any municipality of said islands to incur indebtedness, borrow money, and to issue and sell (at not less than par value) registered or coupon bonds in such amount and payable at such time as may be determined by the government of the Philippines, with interest thereon not to exceed 5 per cent per annum.

Then there is this proviso to the section:

Provided, That the entire indebtedness of any municipality under this provision shall not exceed 5 per cent of the assessed valuation of the property in said municipality, and any obligation in excess of such limit shall be null and void.

Who is to determine whether bonds shall be issued and for what purposes? The white men or the foreigners who are there exploiting the country will be the ones who will reach the ears of the Commission. There will not be an improvement made or a bond issued at the suggestion of the natives themselves. It is so in regard to Manila, where we allow the municipality to borrow \$4,000,000 in addition to what these other municipalities are allowed to borrow. The American Chamber of Commerce, the exploiters, and the foreigners who are there exploiting that country will be the ones who will determine whether or not these bonds are to be issued; it will not be the Filipinos, because they are given no voice under this bill in the management of their own affairs or in the disposition of their own property.

Here is a long section in regard to franchises offering extraordinary inducements to foreigners to go there—franchises for cutting timber, for building electric railroads and steam railroads, and for acquiring mineral lands. The majority of the committee in their report say:

The committee feel that it is of the greatest importance for the proper development of the islands that capital be encouraged to enter the islands.

So there is no disguising the fact they they want capital to go there. The Senator from Massachusetts [Mr. LODGE] presented a petition from Mr. H. L. Wheatley, representing certain business interests of Chicago and New York. He makes a long argument, and I will ask to have it printed, without reading, as a part of my remarks.

The paper referred to is as follows:

[Senate Document No. 306, Fifty-seventh Congress, first session.]

Mr. LODGE presented the following petition of Mr. H. L. Wheatley, representing certain business interests of Chicago and New York, praying that Senate bill 2235 be changed so as to allow corporations to own and control 20,000 instead of 5,000 acres of land in the Philippine Islands:

The Committee on the Philippine Islands, United States Senate.

SIRS: Your petitioner was formerly a resident of the State of Illinois, but for the past three years has been in the Philippine Islands, representing a syndicate of Chicago and New York gentlemen seeking investments in plantation and railway enterprises. Having traveled over 5,000 miles in the archipelago and studied the conditions existing there, your petitioner realizes the vast importance, from a business standpoint, of the two bills now before the Congress, known as S. 2235 and H. R. 9725, and would respectfully call the attention of your honorable body to what your petitioner considers serious defects in said S. bill 2235; defects which, if not remedied, will continue the present serious business stagnation in the islands and effectually stop the investment of American capital, thus, for years to come, leaving the islands in their present backward state, with their vast natural resources undeveloped.

The Philippine Islands to-day, after over three hundred years of Spanish occupation, contain more undeveloped arable lands, in proportion to size, than any other tropical country in the Far East, and to develop even a fraction of this vast area, estimated at nearly 80,000,000 acres of agricultural lands, will require the most liberal inducements to planters by the Government, whether acting singly or by association with others as corporate bodies. In spite of this, a fact well known to any business man in the Far East familiar with the subject, section 13 of S. 2235 prohibits the leasing of lands by the Government for more than five years, and not to exceed 5,000 acres to any corporation or association of persons, and section 77 prohibits any corporation organized to engage in agricultural pursuits from owning or controlling more than 5,000 acres of land.

If section 13 is passed and becomes a law, the Commission having no power to sell lands, it will be impossible to enlist capital to lease and start development of any public lands in the islands. All forms of tropical agriculture require a large outlay of money before any returns may be expected, as even the quick-maturing crops (a planter starting with raw land) require from eighteen months to two and one-half years before returns can be had, and at a cost of \$75 to \$150 per acre, to say nothing of the planter's time and living expenses.

It may be argued that section 11 covers this point by allowing the Commissioners to "make rules and regulations for the lease, sale, or other disposition of the public lands," but such "rules and regulations," if framed by the Commission before the next ensuing session of Congress, do not help the matter any, for the Congress may disapprove the "rules and regulations" so made, thus putting off indefinitely any further opportunity to acquire the necessary lands either by purchase or extension of lease, and no sane man will invest his money under such unsatisfactory and unstable conditions.

It is not reasonable to suppose that, with the vast area of cultivable lands in the islands, companies or associations would attempt to lease lands other than lands they expected to ultimately use in their development work, and the experience of England and Holland in their equally fertile tropical colonies proves conclusively that inducements rather than restrictions are essential to influence men with the necessary capital to develop their resources. Even were the term on leased lands limited to ninety-nine years, and the amount of land held by any one company unlimited by law, your petitioner feels safe in asserting that leaseholds aggregating less than 1,000,000 acres would be the maximum during the next ten years, and your petitioner does not believe it possible that even that figure would be reached, for that would mean the formation of 50 corporations leasing 20,000 acres of land each, with a necessary capital of \$200,000,000, an unprecedented and improbable hypothesis.

From personal experience and observation your petitioner is prepared to prove that it is impossible for an agricultural corporation to successfully (from a financial point of view) produce many of the products of the Philippines if their holdings are limited to 5,000 acres of land. The expenses for buildings, mills, machinery, and management are practically the same with 5,000 acres under cultivation as with 20,000 acres, and the experience of the sugar planters in Hawaii goes to prove this. Here in the Philippines, with vast sections of lands as they were since known by man, where the expense of even making the journey to inspect them is an insurmountable obstacle to the average citizen dependent upon his own resources, it is proposed to restrict the holdings of corporations composed of not one large but many small investors, who would have no other way to invest their money in the islands, to an acreage which has been proven to be too small to return to investors adequate returns upon their money, the investment of which is so far removed from their personal attention, and an investment in which they have to rely so entirely upon the integrity and ability of their brother man.

In the Hawaiian Islands to-day the successful plantations, such as Oahu, Ewa, Wailua, Hawaiian Commercial Company, Waimea, Oloa, Hakalau, Puna, and many others which your petitioner can mention, are paying investments with from 10,000 to 20,000 acres each, while many if not all of the smaller plantations are either losing propositions or are just holding their own, hoping almost against hope for a raise in the price of sugar to put them again upon a paying basis. These large plantations are not owned by one nor by a dozen men, but the stock is held by many thousands of small investors, who thus reap the advantages of combination it would be impossible to obtain were they to attempt it each man for himself, and your petitioner feels safe in saying that with this provision a law the further development in these islands of sugar, copra, cocoa, hemp, tobacco, rubber, and other tropical products will be greatly retarded if not absolutely destroyed.

The conditions governing the development of lands in tropical countries is so entirely different from our own, either in our thickly settled Eastern States or upon the broad and fertile prairies of the West, that were the laws governing the settlement of lands in the Philippines the same as in the States the islands would be in the primitive condition they are to-day one hundred years hence. The average agricultural native would not know what to do with 100 acres of land if he had it, and would make no attempt to cultivate more of it than would bring in sufficient to sustain the meager necessities of his family and himself, while to the average homesteader of the United States or any European country there is no other place on earth where failure is more certain. That this latter condition applies to all tropical countries no man who has made a study of the conditions necessary to successful tropical agriculture will deny.

Your petitioner would further call the attention of your honorable body to section 16 in the proposed bill. Were this section to be literally construed it would confine all future agricultural operations to three or four valleys in the islands, thus leaving undeveloped practically all of the island of Mindoro, the greater part of the beautiful island of Mindanao, and millions of acres of lands in other islands, in which the clearing away of a part of the timber would not only be of no financial loss to the Government, but would be of decided improvement in the healthfulness of the surrounding country. The east, south, and west coasts of Mindanao are practically a virgin forest to the water's edge, and to make possible the development of the wonderful agri-

cultural possibilities of this island your petitioner would respectfully suggest that some latitude be allowed the authorities who are on the ground and so thoroughly understand and recognize the importance of this matter.

Your petitioner would further respectfully represent that the lack of laws for the disposition of the public lands, the granting of franchises, and the disposal of other matters of a public or semipublic nature has already had a most deplorable effect. The interest taken in the Philippines by investors of every class, from the man with his few hundred of dollars to the large investor with his millions, has changed considerably in the past two years. It is a difficult matter even under the most favorable conditions to interest capital in a country so remote from our own shores as the Philippine Islands, and with legislation which deters rather than encourages or induces the investing public it is impossible. After nearly four years of American occupation, your petitioner, after careful investigation, is aware that less than \$125,000 of American capital has been invested in permanent improvements in the islands.

Any future development must come from the United States or Europe, there being no local capital not already employed, and it may be stated as a business proposition that the future development, peace, and prosperity of the islands depends upon the liberality of the laws framed by Congress, and while it is undoubtedly wise to provide restrictions, still, in fairness to those who are willing to go so far from home, and to the inhabitants of the islands, to whom the investment of more money in local enterprises, thus stimulating trade and commerce, means so much, it would hardly seem fair to make these restrictions more rigid and discriminating than in any State or Territory of the United States.

Your petitioner, as previously stated, also represented American capital asking for railway franchises in the islands, but without some concessions by the Government the necessary lines of railroads, so essential to the internal development of the islands, are at the best but a remote possibility, and your petitioner firmly believes that with the rapidly waning interest taken by the people of the United States in these islands unless some relief is afforded by this session of Congress another year will make it impossible to interest the American public in business enterprises in the archipelago.

Your petitioner bases the foregoing upon his personal knowledge of several millions of dollars which was ready for investment there in the spring of 1901, but which has since been diverted elsewhere, and to numerous enterprises of considerable financial magnitude now waiting for and depending upon just and equitable legislation which if not had, as expected, will be prevented from making investments and improvements which would be of the greatest benefit to the Philippines.

Realizing the inestimable value these islands may become to the United States, and, with their wonderful resources developed, the happiness and prosperity which will accrue to their inhabitants, and feeling that this desired end depends so much upon just, wise, and liberal legislation, your petitioner feels justified in asking your honorable body to give these subjects your further consideration.

Respectfully submitted.

H. L. WHEATLEY.

Mr. DUBOIS. I will not take up any more time in reading or commenting upon the bill, but will refer to it hereafter and will address myself now to the commercial aspect of this whole business as it affects the United States.

If it was perfectly manifest that we would be greatly injured commercially by continuing the policy marked out by the majority, if we were absolutely sure that retaining the Philippine Islands would entail great and constantly increasing loss to our own people, we could find some way to let go. If it could be demonstrated that oriental trade was a myth, and the exploiting of the Philippine Islands would injure our own people more and more as we exploited them, then quickly it would become our "manifest destiny" to allow them to have and manage their own country in their own way.

I am so certain that great danger to the white laborer of the United States and world will attend the attempt to awaken the Chinese to industrial activity and competition, and that the development of the Philippine Islands by our capital will work great hardship and inflict serious damage to our own industries and laborers, that I shall have the temerity to attempt to prove it.

In the first place, we can not compete with Japan for the oriental trade.

Japan is about the size of Montana in square miles, and has more than half as many people as the United States.

Up to 1868, when the revolution occurred which overthrew the Shogunate, or the feudal lords, and restored the civil and military power to the Emperor which had been wrested from him by the Shoguns, Japan had been the most isolated country in the world. For the two hundred and fifty years prior to 1868 foreigners were rigidly excluded and the Japanese lived entirely within themselves. Their progress since 1868 has been the wonder of the world.

All kinds of minerals are found there. Gold, silver, copper, lead, mercury, and tin are abundant, and iron is found in many parts of the country.

The lands are highly cultivated, and the Japanese raise sufficient of all agricultural products for their own use and have considerable left for export.

In Tokyo, the capital, nearly every kind of manufacturing is carried on. Osaka reminds one of Pittsburgh. Cotton goods, telescopes, microscopes, matches, knives, spoons, watches, woolen goods, and everything you can think of almost is manufactured there.

If you take into consideration that up to 1870 there was no manufacturing to speak of in Japan, you can comprehend how apt these people are.

At first they employed Americans and Europeans to superintend their factories and to teach them how to produce all these different articles. To-day there is not a white man or any foreigners in any of the manufacturing establishments of the country.

Railroads now span the Empire. Electric-light plants are erected in all the cities. Telegraph lines are scattered throughout the whole country.

The first railroad was built in 1872 between Yokohama and Tokyo, a distance of 18 miles. Railroads are now built in all portions of the Empire.

There is not a white laborer employed, from the general superintendent down to the switch tender, including the train dispatchers, and their railroad system is as perfect as that of any country.

Everything necessary for the construction and equipment of a railroad, excepting locomotives, is made in Japan, and it will be but a short time before they will construct their locomotives, as they have the iron, coal, and the ingenuity. Japan now has nearly 2,000 miles of railway in operation and over 1,000 miles of telegraph lines.

In twelve years they have perfected a telegraph system which for organization, dispatch, reliability, and low rate of service is not excelled by any nation of the globe.

Mr. HALE. Is that a governmental telegraph?

Mr. DUBOIS. No, it is under private ownership. Twenty-five years ago not a mile of this system existed, and, as I said, the entire service is performed by Japanese, and, I will say to the Senator, owned entirely by Japanese.

When they first started on their career of development every ton of material had to be imported, mostly from Great Britain. Now, everything necessary to build and equip the best modern telegraph system is manufactured in Japan, and their workshops and factories supply these materials to their neighbors.

There are 8,000 factories in the Empire of various kinds.

As I stated before, minerals abound. Gold and silver are found in paying quantities. There is lead in the north and copper, tin, iron, and quicksilver in the other portions.

Coal is the most profitable mining industry in Japan. Three hundred years ago it was systematically mined in three or four districts, but up to 1876 only the most primitive methods of coal mining were in use. Twenty-five years ago the output was 300 tons per day. Now it is 2,000 tons per day and more, the output being nearly 1,000,000 tons per year, and the supply is apparently inexhaustible. It is equal in quality to the coal of almost any other country.

All of the firearms and ammunition used in the army of Japan are manufactured in the country.

There are 41 cotton-spinning companies, and in a short time, it is confidently stated, the number of spindles in their cotton mills will be quadrupled.

Cotton was introduced into Japan from India, the first cotton seeds being brought there in a boat by accident from India in 799. It did not secure a firm footing until 1570, and was not very extensively cultivated until a century later. The supply has never equaled the demand, and hence Japan imports cotton. The Japanese have no name for cotton in their own language. There are three varieties—yellow, white, and red. They call cotton wata. The average production of cotton per acre is 360 pounds, while the average of the Southern States is one-half bale, or about 250 pounds. A bale of cotton in the Southern States, as I understand, ranges from 400 to 500 pounds.

Mr. CARMACK. Five hundred pounds is the standard bale.

Mr. DUBOIS. Five hundred pounds is the average bale, as I am informed by the Senator from Tennessee.

The number of laborers in the regular cotton mills of Japan in January, 1901, was about 11,000 males and 40,000 females.

Mr. Gouderau, the French consul at Yokohama, in an official report stated that the weaving industry in Japan during 1896 was followed as a trade in 660,408 dwellings or establishments, containing 924,123 looms, and that of the 1,042,866 persons engaged in this industry 57,980 were men and boys and 985,016 were women and girls.

These looms are hand looms of Japanese make, costing about \$2.50 each and occupy but little space. They are operated chiefly in dwelling houses, and produce textiles of cotton, silk, and silk cotton mixed. More than one-half of these looms are engaged on cotton goods.

The present number of looms and operatives of the kind mentioned is about the same now as when Mr. Gouderau made his report.

Alfred B. Stephenson, in his article on "Cotton manufacture in Japan," in the volume Cotton Facts, edition of December, 1901, says:

The extent to which weaving is carried on demonstrates even more forcibly than the mill statistics the importance of the cotton manufacturing industry of Japan. Only about 60,000 bales of cotton are grown in Japan.

I think Japan's exports of cotton manufactures will continue to increase when trade is fully resumed with China. The labor cost of the manufactured product is greater in proportion as the quality of the manufactured product advances, and the cheap labor of the Japanese mills would undoubtedly give them a great advantage over countries in which labor is dear.

CHINESE V. JAPANESE COTTON YARN.

Consul Miller sends from Niuchwang, August 19, 1901, a clipping from the Japan Weekly Times, as follows:

"JAPANESE COTTON YARN'S RIVAL."

"While our yarn is quoted at a considerable price in the Chinese market, owing to its excellent quality, a powerful rival in the form of the Shanghai yarn has begun its career. At present the only Chinese market where Japanese yarn is reigning supreme is that of Hankau, while its rival is steadily gaining ground in various places in North China, in Niuchwang especially. At Chinkiang the Indian yarn has been much in demand, but of late it has, in a manner, been replaced by the Chinese yarn."

"It is said that the Shanghai yarn is not only pretty good in quality, but it sells at a comparatively low price, so that when sufficient improvements are made it may command the cotton-yarn market in China in the not distant future. In short, the Shanghai yarn is now beginning to be the 'rage' all over the Celestial Empire, and the result will be most painfully felt by Japan."

"Inasmuch," says the consul, "as the United States supplies a large amount of raw cotton for Japan and does not export it to China, this change in the markets for Japanese cotton yarn is of considerable interest to our cotton exporters."

According to the Financial Annual of Japan, No. 1, issued by the department of finance for 1900, factory operatives receive from 8 to 15 cents per day; carpenters, 28 cents; tailors, 23 cents; plasterers, 28 cents; stone masons, 33 cents; shoemakers, 25 cents; blacksmiths, 26 cents; compositors, 20 cents; farm hands, 15 cents; male weavers, 20 cents; female weavers, 12 cents; day laborers, 19 cents; servants, per month, \$1.65, and maid servants, \$1.07 per month. Children receive 3½ cents per day. All operatives work from eleven to twelve hours per day.

Mr. HALE. In what currency is that paid?

Mr. DUBOIS. That is in silver currency.

They have in Japan the raw material out of which to manufacture almost all of their products, and when they have not, with few exceptions, the material is near at hand. For their wool they can go to Australia or to the Mongolian plains of China.

With their vast deposits of coal and iron, both in China and Japan, it will not be long before they will manufacture all the products of iron.

They import their cotton, and a good portion of this comes from the United States. For the seven months ending January, 1902, there were exported from the United States to Japan 64,266,000 pounds of cotton, or 121,578 bales, valued at \$6,564,587.

The Japanese get their machinery for their different factories from Europe and the United States, but it will not be long before they will manufacture their own.

With this condition of affairs in Japan how chimerical and utopian it is almost for us to talk about our great trade in the Orient. The Japanese understand the needs and tastes of the oriental people, and with their skilled mechanics and cheap labor they are already supplying not only their own people, but are sending goods into China and other oriental countries. We can not compete with them in these markets.

They are raising some cotton in Japan, and no doubt will go more extensively into this production.

The industrial development of Japan during the past twenty-five years, starting from nothing, ought to be a sufficient object lesson to convince us that extended trade with the Orient is an idle dream.

Now let us turn to China.

China is about one-third larger in area than the United States and has about six times as many people. China has great resources and is well supplied with agricultural and mineral wealth. The alluvial lands produce cotton in large quantities.

Consul Covert, in his report to the State Department under the date of December 6, 1897, as quoted from the Treasury Bureau of Statistics, December, 1899, page 1651, says:

The Commission sees a great agricultural future in store for Tonkin, Cambodia, and Cochin China. The exceedingly rich soil is capable of producing incalculable quantities of cotton. Of the 5,000,000 acres of cultivable land in Cochin China, only 1,700,000 acres have been cultivated.

Tobacco is grown in many of the provinces, and sugar is grown with considerable success in the southeast.

The coal fields of China are very extensive, and the quality of the coal is good. The deposits of coal in Shansi are said to be the most extensive in the world. They extend over many thousands of square miles and could supply the world all the coal it could use in thousands of years.

Iron deposits are as extensive as coal, and lead, tin, mercury, and copper are found. Gold is mined in Manchuria and is found in some of the southern provinces.

The Chinese are the most industrious workers in the world, and when working can exist on what a white man would starve.

The Chinese have always been very conservative. They have always been opposed to railroad building, and to the opening up of their country to foreigners, and to the development of their own resources. Foreign nations are now vying with each other to arouse the nation to industrial activity. Many railroads are projected.

There was but little commercial intercourse between China and the outside world, and none at all to speak of with the United States, until after the war between China and Japan.

Modern commercial methods began with the treaty between China and Japan in 1895, made at Shimonoseki, at the close of the war between these nations, which was followed by a commercial treaty in 1896. These treaties opened the waters of the principal rivers and canals to the citizens of other nations, allowing all foreigners the right to buy and sell in the interior of China, to engage in manufacturing in treaty ports, and also to bring in all kinds of machinery.

This marked the beginning of the commercial awakening of China. The railroad from Peking to Tientsin was completed by the Chinese Government. Arrangements were made for the construction of railroads by foreign capital. Telegraph lines were constructed. Electric roads, electric lights, and telephones were introduced in the principal concession towns. Mining and manufacturing concessions were granted. The effect of this was the establishment of factories and business houses, the building of railroads, the multiplication of steam navigation lines, and the opening up of iron and coal mines, which are said to be the largest in the known world.

There has been a rapid development in the manufacturing industries of China in the past few years. There has been an enlargement of factories and an introduction of modern machinery, especially for the manufacture of cotton goods. Already cotton manufacturing is a very important industry. Shanghai has three foreign-owned cotton mills worked by Chinese labor.

The North China Herald publishes a list of the cotton-spinning factories in central China which are chiefly owned by Chinese, which shows that 378,052 spindles were running and 525,252 projected.

I will present a table, without reading it, showing the present status of the cotton-spinning industry of central China, taken from the North China Herald of January 28 last:

Cotton spinning in central China.

	Spindles.	
	Projected.	Running.
MILLS IN SHANGHAI.		
The Ewo Cotton Spinning and Weaving Co., Limited.	100,000	29,000
The Laou Kung Mow Cotton Spinning and Weaving Co., Limited.	25,000	25,000
The International Cotton Manufacturing Co., Limited.	45,000	34,000
The Soy Chee Cotton Spinning Co., Limited.	40,040	40,040
The Hua Sheng Chong Cotton Cloth and Yarn Co.	65,000	65,000
The Ta Sheng Chong Cotton Cloth and Yarn Co.	25,000	25,000
The Yah Loong Cotton Spinning Co., Limited.	20,000	16,000
The Chinese New Cotton Spinning Co.	15,000	15,000
The Yu Yuen Cotton Mill.	40,020	40,020
	375,060	289,680
MILLS AT OUTPORTS, ETC.		
Tung Kau Yuen Mill, Ningpo.	10,000	10,000
Hupei Government Cotton Mill.	30,000	30,000
Wuchang Cotton Mill.	50,000	20,000
Soochow Cotton Mill.	30,000	18,200
Wusieh Cotton Mill.	10,122	10,122
Hangchow Cotton Mill.	20,000	
Total in central China.	525,252	378,052

All the employees of these factories are Chinese men and boys. Females do not work in the factories of China at all. In this respect they differ from Japan, where girls are employed in large numbers.

I myself went into a cotton mill in Hankau, on the Yangtze River, about 800 miles above Shanghai, and saw 2,500 men and boys employed.

Woolen mills are springing up on all sides, and the wool can easily be secured from Mongolia, where there are immense flocks of sheep.

Some cotton is exported from our Southern States to China. About 10,500 bales were exported in the year 1899-1900; but China itself is a cotton-producing country, and with their surplus labor and millions of acres of fertile alluvial lands it is certain that they will not only produce cotton for their own use, but for Japan and the balance of the Orient as well. If Japan can not supply China with what it needs, China, if aroused to commercial activity, can supply itself.

Consular reports and the reports of others familiar with the labor conditions in China show that the rate of wages of laborers range from 3 to 10 cents per day. Skilled laborers receive from 18 cents to 22 cents per day. The 2,500 men employed in the cotton mill at Hankau, which I visited, received \$1.75 per month as their wages and boarded themselves. Consul Gracy, of Fuchau, in his report in 1897 said that cooly labor could be hired for 7 cents per day or \$1.50 per month. Good mechanics receive from 10 to 15 cents per day in gold or 20 to 30 cents in silver. The official reports of the State Department for 1895 give the wages of barbers at 3 cents per day; tailors, 10 cents; carpenters,

11 cents; cabinetmakers and blacksmiths, 13 cents; brass workers, 16 cents; cotton factory hands, 18 cents, and cotton mechanics and machinists, 21 cents.

Mr. SPOONER. Mr. President—

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Idaho yield to the Senator from Wisconsin?

Mr. DUBOIS. I do.

Mr. SPOONER. I suggest the absence of a quorum.

Mr. DUBOIS. I would not do that.

Mr. SPOONER. No; the Senator would not do it, but I do.

The PRESIDING OFFICER. The Senator from Wisconsin suggests the absence of a quorum.

Mr. HALE. I hope the Senator from Wisconsin [Mr. SPOONER] will insist on his demand for a quorum. The speech the Senator from Idaho [Mr. DUBOIS] is making ought to be listened to by every Senator in the body. It has more real facts of importance in it than almost any speech that has been delivered here.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Dubois,	Kittredge,	Pettus,
Bacon,	Elkins,	Lodge,	Quarles,
Bard,	Fairbanks,	McComas,	Quay,
Bate,	Foraker,	McEnery,	Rawlins,
Berry,	Foster, Wash.	McLaurin, S. C.	Simmons,
Beveridge,	Gallinger,	McMillan,	Simon,
Burnham,	Gamble,	Mahony,	Spooner,
Carmack,	Hale,	Martin,	Teller,
Clark, Mont.	Hansbrough,	Mitchell,	Tillman,
Cockrell,	Harris,	Nelson,	Warren,
Culberson,	Heitfeld,	Patterson,	
Dillingham,	Kearns,	Perkins,	

The PRESIDING OFFICER. Forty-six Senators have answered to their names. A quorum of the Senate is present. The Senator from Idaho will proceed.

Mr. DUBOIS. Mr. President, I appreciate the fact that the day is sultry; that the debate has been continuous, and that I am making what I hope is an argument—and arguments are always more or less dry. All these things being taken into consideration, I do not wonder that Senators do not care to stay in the Chamber all the time. It is not any personal reflection at all.

Mr. SPOONER. Everybody knows that.

Mr. DUBOIS. I appreciate the kindly word of the Senator from Wisconsin.

I can not share with the enthusiasm of our people who are looking to great trade in the Orient, when as a necessary concomitant of that trade we must stir up China to active industrial competition. They are as skillful as the Japanese, and more industrious than any people on the face of the globe. Under the tutelage of Americans and Europeans they learn to manufacture anything as well as anybody. It seems to me that we are stirring up a great competition with the white laboring classes of the world which must inevitably make the outlook for the laboring man dark and foreboding. There is nothing these Chinese want which we produce, and in a very few years, with their iron, coal, minerals, wool, cotton, and their extensive agricultural lands, they will not only produce everything that they want for themselves, but they will flood the markets of the world with their surplus products. They have the resources, the ability, and the labor, and they are so trained—through centuries of privation and endurance, through centuries of struggle for a bare existence—that no labor can compete with them.

The fact that the exportation of flour from the United States to China and Japan has very largely increased during the past several years has misled many of our people, especially on the Pacific coast, into believing that our trade generally with the Orient would be of great advantage to all sections, and especially to the Pacific coast. This is another idle dream. The Chinese have learned that flour is very nutritious and that it takes the place of a variety of food products, and they will raise all they want for themselves, and more too. Their country is peculiarly adapted to wheat raising, and the only reason they have not raised it before is that they did not know the value of it. They not only can and will raise enough wheat for themselves, but soon they will supply the balance of the Orient with their flour. When once a Chinaman finds out, no matter where he is, whether in the Philippines, the United States, Europe, or China, that any enterprise is a profitable one and he can engage in it he will proceed at once to devote his energies to that enterprise. He has found out that flour is a good thing, and he has the labor and the lands and will proceed to raise wheat. I quote from report of Harry B. Miller, United States consul at Chungking, December 29, 1900:

Wheat is grown to some extent in nearly every section of China. It is grown more extensively throughout the northern and western than in the central and southern portions, and in the north and west it is generally used for food. In these sections the grain is ground in small stone mills operated by hand or animal power and in some places by water power. Throughout the north each family owns its own mill and grinds its own flour. A small stone mill is a part of each farmer's outfit.

The tall millet, growing to a height of 20 feet in some places, does not produce much food per acre, perhaps not more than a fourth as much as

wheat; but the stalk is a necessity as a fuel, and it is grown largely for that purpose. The grain is used for animal as well as for human food.

If the Chinese get to using coal, instead of vegetable growths, for fuel, this great area of country, now given up to tall millet, will no doubt be given over to wheat growing; and as this section produces a good quality of wheat, it may be within the possibilities that China will produce the grain to supply most of her flour.

It is a very common misunderstanding of the agricultural and horticultural resources of China to believe that their full possibilities of food production have been reached.

Although agriculture is more highly developed than other industries, its full capabilities in food production are far from being realized. It is conceded that the northern part of China produces the best wheat, and it is claimed that it is as good as the average raised in the United States.

TRANSPORTATION OF GRAIN.

The vast water ways (rivers, creeks, and canals) covering such a large area, reaching in many sections almost every 40 acres of land, with the cheap labor engaged in transportation, make the carrying of grain an insignificant factor in its cost at the mill, and provide every means for its cheap distribution.

PLANTING, HARVESTING, AND THRASHING.

The greater part of the wheat is winter wheat planted in the fall. It is not sown in large tracts as in the United States, but planted in small lots of a fraction of an acre. It is in many cases planted by dropping about three grains in a hole and putting a few ashes in each hill. It is hoed and weeds are pulled out by hand. When ripe, it is cut close to the ground or pulled out by the roots.

The thrashing is done by flails on the ground. The grain is gathered up, with a large percentage of dirt, and sold without being cleaned, so that the dirt adds much to the quantity. Another method of thrashing is to whip the grain over a row of sticks placed on a box.

The wheat is not cleaned before it reaches the mill, and when ground in the native mills much of the dirt is ground into the flour, so that it is gritty. All native mills are of small capacity, made of stone rollers over a stone base, and the product is a coarse, dark, and dirty flour. These mills are generally operated by animals, such as are used in that particular section of China.

There are no good modern plows or agricultural machinery anywhere in China, and animals are little used in proportion to the work done. Hand labor is employed in growing, harvesting, thrashing, and transporting grain to market.

WHEAT PRICES AND WHEAT PESTS.

The usual price paid for wheat delivered at the mills is \$2.20 Mexican (\$1.10 gold) for 133½ pounds.

A large amount of the wheat is found to be injured by weevil, or something like it, that eats out the inner part of the grain and leaves the hull.

FLOUR MILLS IN CHINA.

There have been 3 modern flour mills constructed in China—1 at Tientsin, which was recently destroyed by the Boxers, and 2 at Shanghai. One of the Shanghai mills is furnished with English machinery and has a capacity of 250 barrels per day. This mill is now in operation.

AN AMERICAN FLOUR MILL.

The increasing production of wheat in this part of China and the corresponding rise of a new industry is undoubtedly one of the signs of the advancement of Western ideas among the Chinese people. In the center of the great rice-growing region it is not a little astonishing to find that Chinese enterprise has seized so promptly on wheat as an article of food. The idea of the promoters of the flourishing and beautifully constructed Fou Foong flour mill, beyond the end of the Markham road, is, of course, to supply the foreign communities of northern China with flour which fully equals in quality the imported article.

The Fou Foong is the first modern American flour mill in China, and has been fitted by the Edward P. Allis Company, of Milwaukee, under the personal supervision of that company's representative, Mr. F. G. Morse, of Minneapolis. Its location is on the Shanghai bank of the Szechow Creek. It is a four-story stone and brick building of very pleasing exterior and thoroughly American in appearance and style. The main building is 72 feet long and 40 feet wide. A separate house, 40 by 40 feet, with two large godowns and a handsome, commodious structure alongside for the manager and head miller, completes the building equipment. The appliances for the numerous processes through which the wheat passes until it emerges in snowy flour are of the most modern description.

The mill has 8,000 bushels capacity, and can easily turn out 1,200 sacks of flour of 50 pounds per sack per day.

The power plant consists of a magnificent Corliss engine (Reynolds patent) of 200 horsepower, made by the Edward P. Allis Company, steam being supplied by two large tubular boilers, one large belt condenser, one duplex boiler feed pump. Lighting for night work is furnished by a Sprague electric dynamo.

The entire mill was erected by Mr. Morse with only unskilled coolly labor to help him. The flour turned out is of splendid quality, and we have not seen better or whiter bread than that made from the Fou Foong flour.

This mill turns 75 per cent of the wheat into flour; 84 per cent of this is first-grade patent flour and 11 per cent baker's grade. The grain used is red winter wheat.

The bran is sold for \$20 Mexican (\$10 in United States currency) per ton, and goes to Japan to be used as a fertilizer.

HENRY B. MILLER,
Consul at Chungking.

SHANGHAI, December 29, 1900.

Also the following from the same writer in regard to Manchuria:

GRAIN FOOD IN MANCHURIA.

Wheat.—This is considered a good wheat country and a quantity is grown and sold, and some little is exported from this port; but the staple food is millet. The natives in grinding wheat produce two grades of flour. One ton (48 pounds) of wheat produces 17 pounds of white, or first-grade flour, and 18 pounds of yellow, or second grade, making 35 pounds in all. Native wheat sells at 2 to 2.25 cents (0.9 to 1.1 cents) a pound, and the flour from 3.5 to 4 cents Mexican (1.7 to 1.9 cents) per pound at retail.

Foreign flour.—This has never been very extensively imported for native use until last year, and then it entered because of troubles in the interior that kept the natives from securing their usual food supply. This year the importation has fallen off to a small quantity. The retail price of foreign flour is the same here as at Shanghai, ranging from \$1.70 to \$1.90, Mexican (83.3 cents to 90.1 cents), per 50-pound sack. Chinese flour, ground from Chinese wheat of the modern foreign style—roller process—at Shanghai sells here for \$1.00 Mexican (73.4 cents) per sack; considerably less than American flour. The native flour brings a higher price than foreign flour, and is for most purposes preferred by the natives, because it is more sticky or tenacious.

I could read many more extracts from reports from our consuls

in Asia and from consular reports from all parts of the world which are valuable. It makes no difference what the politics of our consuls in Asia may be, you will find no encouragement in their reports for profitable trade for the United States between the United States and the Orient. The tenor of their reports is sufficient to justify the statement that the Orientals not only can produce and manufacture everything they want, but when stirred into activity will have a surplus to send to the markets of the world, where they will be in competition with the products of white labor.

My fears of Chinese competition are shared by others much more competent to speak than I. I quote the following from a book published in London two years ago, written by Alexis Krause, entitled "China in Decay:"

What will be the share of China in the world's history, when split up into segments? She, who has held half of Asia as a suzerain power, will have become resolved into a series of dependencies. What is the future in store for the 400,000,000 of people who to-day offer the finest opening for trade with the West that has ever been known?

The question is an absorbing one, and suggests material for study which may startle the student. What will happen when this people, able, energetic, imitative, and industrious, learn to follow the example set by Western nations and take to manufacturing goods and raising produce at a cost which, while it will pay them, will not find a Western laborer in bread? How will it be when China supplies the world with manufactures at a tithe the cost of their production in Western countries? What will become of our Chinese trade when the Celestial supplies his own requirements and undersells his teachers in his own markets? For whatever the fate of China, the people will remain, with their marvelous resources and adaptability, and they only need the education and training we are endeavoring to give them in order to hold their own against the world.

I will also quote the following:

ASIATIC COMPETITION IN THE GREAT MANUFACTURING INDUSTRIES.

Consul-General Jernigan, writing from Shanghai to the State Department, discusses the question of Asiatic competition in the great manufacturing industries of the world as follows:

"The influence of the cheap labor of Asia and its products upon future prices has become a subject of international importance, but the products of this labor in China in its competitive bearing upon the products of American labor is of more interest to us. The American laborer is very properly protected against the competition of the Chinese laborer on American soil, and such protection in no sense discredits the industry of the former; but whether the products of the Chinese laborer will seriously compete in American markets with the products of the American laborer is more the question of the hour.

"In this report I have indicated the belief that competition is not so much to be apprehended in our home markets as it is in the markets of China for our home products, and the plain facts would seem to justify the belief. There has been and is now a valuable demand in the markets of China for the products of British and American looms, but when the desired quality of cotton goods at present imported from Great Britain and the United States can be manufactured in China from the products of her soil, it is unreasonable to expect the importation from foreign countries to continue in such large quantities; and when the products can be produced in necessary quantity on the soil of China and at a far cheaper price, as well as manufactured in China also at a far cheaper price, it is no longer a question that cotton made and manufactured in China will supply the demand of Chinese for cotton goods.

"It will; and it therefore follows that the competition will first begin in the markets of China. The prices—elsewhere given in this report—paid a Chinese laborer are starvation prices to the American laborer, but the price of Chinese food is in proportion to the price of Chinese labor, and the money is received and the food eaten with contentment. Another consideration tending to cause this competition to be more energetic is that the machinery in the cotton mills of China is of the most improved pattern, and that quality as well as the quantity of the cotton goods will enter into the competition. It is certain that there can be produced in China a much superior grade of cotton to that now produced, and with improved machinery Chinese cotton mills will be able to supply the demand for a finer quality of cotton goods, as they are now supplying the demand for the more inferior quality."

Some of our Southern friends seem willing to forget everything else connected with the colonial policy and our trade in the East because of the fact that the Southern States now are selling about \$6,000,000 of raw cotton to Japan each year and about \$500,000 of cotton to China. It is plain that this demand for raw cotton in these countries will steadily diminish if we teach those people the art of trading. And what is to become of the manufacturers? It is absurd to discuss the feasibility of our sending manufactured cotton goods into that country, and it will be but a short time before our manufactures are confronted in every market of the world with the goods produced by China.

Mr. BEVERIDGE. Will the Senator from Idaho permit a question?

Mr. DUBOIS. Certainly.

Mr. BEVERIDGE. I should like to ask the Senator whether it is not a fact that as the cotton mills in China have increased, the cotton importations into China from America have also increased instead of diminished?

Mr. DUBOIS. It would not make a particle of difference what sort of an answer I made so far as concerns the contention I am trying to make.

Mr. BEVERIDGE. I do not want to interrupt the Senator—Mr. DUBOIS. No answer I could make would at all disturb the line of argument which I am pursuing.

Mr. BEVERIDGE. I understood the Senator's argument, and I have been deeply interested in it—

Mr. DUBOIS. My argument is that they will produce it themselves.

Mr. BEVERIDGE. Yes; I understood the Senator's argument

to be that as cotton machinery in China increased, necessarily they would more and more supply their own demand, and therefore our imports into China, instead of increasing, would diminish. That is the argument of the Senator, is it not?

Mr. DUBOIS. No, sir.

Mr. BEVERIDGE. Then I have misapprehended the Senator.

Mr. DUBOIS. My argument is that the Chinese and the Japanese could raise sufficient of this stuff not only for their own consumption but to supply other nations.

I am supposing all of the time, of course, in my argument that these gentlemen who talk so flippantly in regard to our great trade in the Orient mean what they say, and intend to teach the people of the Orient to manufacture goods and to produce articles through the exchange of which they can trade with us. They can not trade with us. They have not any money. How are they going to trade with us except through an exchange of goods? Once arouse their activity and demonstrate to them the advantages of trading, the advantages of manufacturing, allow foreigners to develop the country, and China will expand as quickly and to a much larger extent than Japan. You will find after a lapse of twenty-five years the same condition in China as exists in Japan, that not a white man will be employed in any of the different enterprises.

It may be of interest to make a statement in regard to the cotton industries of the world. In closing this portion of my subject I wish to state that in 1901 the number of working cotton spindles in the United States was 20,000,000, of which 14,000,000 were in the Northern States and 6,000,000 in the Southern. Of the 20,000,000 spindles now operating in the United States the New England States have 76 per cent. In 1890 Massachusetts had 41 per cent of all of the spindles of the United States, and the proportion has not been very greatly changed since then.

On August 1, 1900, there were over 1,000,000 cotton spindles in operation in Japan. I can not get accurate statistics, but believe there are not less than 500,000 spindles in operation in China. It does not take a wizard to foretell that the spindles in Japan and China will increase tremendously, and all the time to the detriment of our own spindles, especially those of the New England States. I do not wonder that, dealing with this question purely as a commercial one, the people of Massachusetts are not enthusiastic for oriental trade and development.

The cotton mills of Japan in 1901 used 81,178 bales of Chinese cotton.

If I have raised a doubt in the mind of any Senator that there can be profit to the United States in trade with the Orient, I believe I can satisfy such Senator that there can be no hope of profitable trade relations with the Orient or the Philippines if we hold the Philippines and manage and exploit them as contemplated in the bill now under consideration. A few individuals may reap a profit, but it will be at an enormous expense to the people of the United States, and especially to the laborers and manufacturers and farmers.

In discussing the Philippine question we are met at the threshold with the statement that those who do not want to hold these people as a colony are in favor of "scuttle." The word "scuttle" is used as an offensive epithet. I have taken some pains to look up the derivation of the word; also the meaning. The intransitive verb "scuttle" means to run hurriedly—to hurry. I think the opponents of this bill, the opponents of the imperial policy, are in a hurry to abandon it. "Scuttle," the noun, is a quick pace. I take the first definition. Webster gives the definition of "scuttle," transitive verb, to cut a hole or holes through the bottom or sides of a deck of a ship; to cause a ship to sink by making holes in the bottom.

I imagine that those who apply the word "scuttle" to us as a term of reproach do not mean this definition. We surely do not want to sink the Philippine Islands. On the other hand, we want to remove our deadly pressure so that they may rise. There are many other definitions of "scuttle," as, for instance, the noun "scuttle" sometimes means a small opening or hatchway in the roof of a house or deck of a ship; also a lid closing such a hole.

This, of course, can have no significance as the imperialists apply the word to us. "Scuttle," the noun, is also defined: First, a metal vessel for holding coal—called also a coal scuttle or hod; second, a form of swabber used by bakers in cleaning ovens; third, a flat, shallow basket or dish—platter. This does not apply, of course.

They must mean in the use of the word "scuttle," which they apply so freely, the intransitive verb "scuttle," which means "to hurry." As far as I am concerned, I am content to have that definition apply to me, for I am in a hurry, in the interest of the American people, to get away from the Philippine Islands, believing that no good, but tremendous harm, must come to the American people if we remain there.

Turning to the majority bill again, we find that the public lands are to be sold to corporations and syndicates in tracts of 5,000 acres. It will not be difficult for any syndicate, if they so desire, to control 100,000 or 1,000,000 acres.

I imagine that many Senators have no idea of the vast extent

of public lands in the Philippine Islands. It is not disputed that there are about 72,000,000 acres all told, and 5,000,000 acres only are owned by anybody. The balance are public lands. Of these 67,000,000 acres of public lands it is clear to my mind that at least 40,000,000 acres are agricultural lands. The testimony varies as to the proportion of these public lands which are agricultural, but no one has put it less than 50 per cent, or some 35,000,000 acres. I should think that there are nearer 50,000,000 acres than 35,000,000 acres. The soil is exceedingly rich.

Allow me to institute a comparison in order to make clear how much land 40,000,000 acres represent.

The number of acres of farm lands in Massachusetts is 3,147,064; in all the New England States the number is 20,548,999, as follows, by States:

	Acres.
Maine	6,239,946
New Hampshire	3,039,864
Vermont	4,724,440
Massachusetts	3,147,064
Rhode Island	455,002
Connecticut	2,512,085
Total	20,548,999
California	28,828,951
Oregon	10,071,323
Washington	8,499,297
Idaho	3,204,906
Montana	11,844,454
Utah	4,116,951
Wyoming	8,124,536
Colorado	9,474,588
Nevada	2,565,647
Total	86,730,655
Nebraska	29,911,779
Kansas	41,662,970
South Dakota	19,070,616
North Dakota	15,542,640
Total	106,188,005
New York	22,648,109
Pennsylvania	19,371,015
Illinois	32,794,728
Indiana	21,619,625
Iowa	34,574,337
Total	131,007,812

From this comparison you can gain some idea of the immense acreage of these lands which capitalists under this bill are invited to take. The only answer which is made when the iniquities of this bill are pointed out, which allows corporations to acquire these immense tracts of land, is that capitalists will not go there and develop and exploit these lands. I have heard Senators on the other side say that if they thought they would, they would oppose this feature of the bill.

Our American capitalists have taken immense tracts of land in Cuba for sugar-raising purposes since the Spaniards were driven out, and they own all of the available agricultural lands in the Hawaiian Islands, which they use for sugar production. Being familiar with the rich soils of the Philippine Islands, it seems to me that capitalists will take advantage of this opportunity and will rapidly take up and cultivate these lands for the raising of sugar, tobacco, cotton, and the natural and exclusive products of the islands.

If they will not do this, and the Senators are right who say they will not, why not strike this provision out of the bill allowing syndicates and corporations this tremendous privilege. It is plain to me that we are deliberately inviting and encouraging a tremendous production of cane sugar in that country, and encouraging a production of cotton and tobacco.

A part of my argument has been on the assumption that corporations would enter the Philippines, obtain vast tracts of land and exploit the country. They would be induced to do this by the large profits that will accrue to them. I now desire to show that one big corporation has been doing this already, and that it has made large profits by its undertakings, especially in the cultivation of sugar.

I obtain my information from a protest of the Philippine Sugar Estates Development Company, Limited, against the sale of their possessions to the Government, accompanied by reports regarding the value of the land. This protest is found in "Hearings on the Philippines," commencing on page 2353.

The report and protest were made December 9, 1901.

This company owns 8 plantations in the Philippine Islands—2 in Cavite Province, 3 in Laguna, 2 in Bulacan, and 1 in Bataan—purchased from the Dominican friars, paying therefor 3,830,000 pesos, or \$1,915,000.

Mr. Richard Andrews afterwards succeeded in organizing a French company with a capitalization of \$2,000,000. Mr. Barry Baldwin, the Manila representative of a leading commercial firm of the United States, agreed, on behalf of his firm, to place \$100,000 in the shares of this company.

It is now called the "Philippine Sugar Estate Company, Limited," the object of which is to cultivate these 8 plantations, representing about 140,000 acres of land, including land devoted to other purposes besides sugar culture.

They protest against the sale of these lands to the Government to be parceled out among the tenants, and use as an argument the immense profits accruing and to accrue from the cultivation of these lands.

The report says:

The estates acquired by the company are without doubt the richest and the most valuable property in Luzon.

It further says:

The quality of the land, its cultivation and the products which could be derived from it, the increase in area of productive lands, which would be gained by extending the important system of irrigation established by former owners, the cultivation of land never before cultivated, methods in handling field hands and mechanics, would so increase the present value of the plantations that it is difficult for the company to calculate what price should be put upon them by the least grasping of all who have looked into the matter. It must be remembered that those who have bought stock have done so in the hope of making large profits from the projected development of the plantations as planned in the report referred to.

The lands are devoted principally to the culture of rice and sugar.

To show the wonderful productiveness of these lands, the report states, page 2364, that 2½ acres were measured off and planted in the usual way in cane. It produced 12,775 pounds of raw sugar, valued at \$273.75. Deducting all expenses, it left a net profit of \$45.50 per acre. The report shows further that in the estates of Calamba, Santa Rosa, Binaan, Naic, and Santa Cruz there are cultivated 37,931 acres, 22,000 acres of which, in round numbers, produce 37,000 tons of sugar annually, valued at \$1,586,268, and an additional 12,190 acres, that can be turned to sugar-cane culture with excellent results. This makes in all 50,121 acres in these provinces which would yield an annual profit according to the above estimates of \$2,280,505.

The report goes on to say that in only three of the estates situated on the Laguna there are 45,000 acres excellently suited to the culture of sugar cane. "Supposing," it says, "that of this number only 30,000 acres were kept constantly under the culture of sugar cane and the balance of 15,000 acres kept for the supply of alternate plantings to give the land time to rest, the 30,000 acres under constant production would give a result annually of 75,000 tons of raw sugar of a market value of \$3,285,000 at the rate of \$42.86 per ton. Deducting all expenses of planting, labor, milling, etc., the result leaves a profit of \$1,369,000."

The report says:

This result could be easily doubled by a systematic and scientific farming by using European plows, helping the ground with fertilizers, and extracting all the juice from the cane by modern machinery.

There are other corporations owning large tracts of land and all apparently making large profits.

The yield of sugar is so great in tropical countries that we can not compete with them in this country if their acreage is greatly increased. The tropical countries can and will, in my opinion, supply the sugar of the world if white capitalists enter actively into this industry.

The average production of sugar per acre in Louisiana is from 1 to 1½ tons, or from 2,000 to 3,000 pounds. Texas is slightly under Louisiana. The average per acre in Porto Rico is about 4½ tons, or three times that of Louisiana. The average production in Cuba is about 4 tons. The average production in Hawaii is about 4 tons, running as high as 11 tons per acre on one large plantation, which is in a high state of cultivation and where the most modern methods are used for extracting the sugar. Before the war between the Philippines and the United States the normal crop of sugar in the Philippines was about 250,000 tons.

General Taft estimates this year's crop at from 175,000 to 200,000 tons. I think he is wrong about this, as from the best information I can gather the crop was only about 75,000 tons last year. There is no way to find out the average production per acre. The methods used for treating the cane are primitive and the extraction low. With our machinery the output per acre will be at least doubled, and I think it is no flight of the imagination to say that the number of tons per acre which will be raised when white men engage in the occupation will equal that of Hawaii.

The following will show the sugar tonnage exported from the Philippines:

Year.	Pounds.	Long tons.
1861.....	118,975,780	59,487
1871.....	195,920,760	97,960
1881.....	470,760,080	135,375
1893.....	585,801,440	* 292,400
1897.....		105,000

* More than Hawaii, which produced 243,470 tons in 1899. Hawaii, however, produced 308,450 tons in 1901.

German Consul Paasche, writing in 1888, placed the area in sugar in the Philippines at 58,172 hectares, equal to 143,685 acres.

The sugar industry in the Philippines, with a few exceptions, is in a very low stage of development.

Soil and climate are excellent, but mode of cultivation and method of extraction are primitive and wasteful.

In the island of Negros alone, where the soil is volcanic, like Hawaii, and especially adapted for sugar, only one-fifth of the cultivable area is said to be under tillage. In that island 13,786 hectares, or 33,350 acres, are in sugar. One hundred and seventy thousand two hundred and fifty-seven acres are susceptible to the sugar industry on this island alone. Properly cultivated, with 25 tons of cane to the acre and only 250 pounds of sugar from 1 ton of cane, the crop of Negros alone would amount to 106,400,000 pounds, or 475,000 tons, of sugar.

A writer, speaking of sugar possibilities in the Philippines, says:

With the application of rational methods of cultivation and improved technical processes of production (i. e., extraction) there is good reason to believe that the Philippine Islands may approximate the position held by Java in the international sugar market.

In 1900 Java produced 710,150 tons. Java produces 3.82 tons per acre, as against 1½ tons for Louisiana.

The Taft report of November 30, 1900, page 58, says:

Agriculture is in its infancy here, and the tools and machinery in use are for the most part crude in the extreme. While there are some steam sugar mills in Luzon and Negros, yet the machinery employed is out of date when compared with that in use in Hawaii. In very many instances cane is still crushed between stone and wooden rollers turned by draft animals. If sugar can be advantageously grown and marketed with such machinery and methods as are at present employed, it is certain that profits would be enormously increased were thoroughly modern machinery and methods introduced.

In the Schurman-Dewey-Denby-Worcester Commission report, December 20, 1900, page 246, we find this:

In the Philippines the cultivation of sugar cane is generally carried on with little care and intelligence, and this is one of the reasons why the quantity and quality of the crop has diminished.

In the report of the Philippine Commission to the President, volume 4, 1900, pages 51-52, we find this:

In the manufacture of sugar the best methods are not generally employed. The natives extract the juice by means of mills of stone, wood, or iron, these being called apiches. The juice is then collected and boiled in (open) kettles, a little lime being added to purify it. When the boiling has reached a certain point, which is recognized by an expert, it is passed into another kettle, where the boiling is continued until it reaches a certain temperature. It is then poured into conical molds, which are placed upright so that the molasses may drain off. These molds are placed over small jars, where they remain until the sugar has formed, it being then free from molasses. It will be seen, therefore, that there is great opportunity for improvement in these methods.

From same report, page 12:

From 1889 to 1893 the average sugar exportation from the Philippines amounted to about 11,500,000 pesos per annum; about \$6,350,000.

In the same report, page 553, we read, concerning sugar in the island of Negros:

Some of the planters say that there are large tracts of fine sugar land belonging to the government on the southeast and northwest coasts. Negros is considered the best sugar country of the entire archipelago.

The sugar crop is of more value than all of the other products of the island combined. The yield of sugar is from 1½ to 4½ tons per acre, under the most primitive methods. The lesser amount is from some of the older plantations along the coast which have been cultivated for nearly thirty years. On these the yield was said to be double that mentioned at first. Even on the best-equipped plantations little attention is paid to the saving in labor; the laborers have to carry the cane 10 feet and step up 3 feet to get from the truck to the moving table that carries it to the crusher.

The laborers get 6½ cents a day and only two meals of rice and maize, but when making sugar 12½ cents a day and three meals. It has been so easy to grow a profitable crop of sugar on this fertile new land that little careful study has been given the subject by most planters.

Planters spend their money in Manila or Hongkong having a good time, and they borrow money at from 12½ to 25 per cent. This is the old Cuban way also.

Beet sugar averages in the United States from 1 to 1½ tons, and sometimes as high as 1½ tons, per acre. The total beet-sugar yield in the United States for the year 1901-2 was 183,000 tons. The yield of Louisiana in 1901 was about 350,000 tons. The yield of Louisiana was nearly all of the cane sugar raised in the United States. So that the total of the beet-sugar and the cane-sugar crop in the United States was about 550,000 tons.

The production of sugar in Hawaii in 1901 was 350,000 tons. In 1897 the production was only 230,000 tons; so that in the four years since annexation and since American capital has, without incumbrance, exploited Hawaii the output has increased 50 per cent—from 230,000 tons to 350,000. If there was more available agricultural land in the Hawaiian Islands, with American capital and Chinese and Japanese labor, the output would continue to increase. The total production of sugar in Cuba for 1901 was about 800,000 tons. With American capital being invested largely in the sugar lands, we can look for a much greater increase from Cuba.

The total production in Porto Rico for 1899 was 60,000 tons.

The following table gives the sugar output of the United States and her possessions:

	Tons.
Cane sugar in the United States.....	350,000
Hawaii.....	350,000
Porto Rico.....	60,000
Philippine Islands (estimated).....	125,000
Total cane sugar.....	885,000
Beet sugar in United States.....	183,000
Sum total of all sugar.....	1,068,000

The total amount of sugar consumed in the United States during the year 1901 was 2,372,316 tons. The United States proper produced in cane and beet sugar one-fourth of the amount consumed in the United States. It would not be difficult for us in a reasonable time to produce all the sugar we use in the United States, which would be an advantage to our own capitalists, farmers, and consumers.

We are starting in a path that will prevent this and be detrimental to every class of people in our country except the few capitalists who desire to go into the tropical countries and cultivate sugar with Japanese and Chinese labor to put in competition with the product of our country.

Beet sugar constitutes 60 per cent of the world's sugar crop. In 1901 the world's production of beet sugar was 5,510,000 tons and of cane sugar 2,908,000 tons. With the exploitation of cane sugar in the tropical countries by American capitalists our own cane-sugar and beet-sugar interests must inevitably be sadly crippled, if not destroyed.

There is another thing which may be interesting one of these days to our Southern planters and also to our manufacturers who see in the Philippines an imaginary place for "trade." In the report of the Philippine Commission to the President (1900), volume 4, page 11, we find these observations on cotton:

Some time ago cotton obtained some importance in the Philippines because it was the principal material of the domestic weaving industry, now reduced to very limited proportions on account of the competition of English and Spanish cotton cloths, which are imported to the amount of \$2,500,000, and because of the tax on looms.

Spain did not want to encourage cotton weaving in the Philippines.

COTTON CULTURE IN THE PHILIPPINES.

From Report of the Philippine Commission, dated November 30, 1900, page 60:

These islands produced cotton in some quantity before the days of the Spanish Government tobacco monopoly, when the cultivation of cotton necessarily fell into neglect. It is now raised in a very small way in some of the northern provinces of Luzon, but tobacco is still the important crop of this region, and the people are slow to abandon an industry which is yielding them steady returns and embark in a new one with which they are not familiar, so that it is hardly likely that there will be much increase in the local cotton crop in the near future. It can be profitably woven into fabrics here, however, on account of the abundance of suitable and cheap labor, and the Commission is informed that there are several projects on foot for the establishment of extensive cotton mills in the islands, those interested intending to import raw American cotton.

Geographically, the Philippines lie about in the same degrees of latitude as the country south of the City of Mexico—south of the Isthmus of Panama. The northerly point in the Philippines is some 5 degrees of latitude south of the southerly point of Texas.

In Circular No. 17 of the Agricultural Department, dated May 15, 1899, the following is found on this subject:

Cotton occupies a peculiar position in the Philippines. It was the first raw fiber used locally in the manufacture of textile fabrics, but it has recently lost much of its former importance, partly because of the excessive taxation that has for some time been imposed on the textile industry of the islands, but principally because of the competition of British fabrics.

The cotton plants cultivated in the Philippines are chiefly of the herbaceous varieties. They yield a fine white staple of superior quality and strength. One variety, however, known under the name of cayote, produces a cinnamon-colored fiber. There is also a species called bubuy that grows like a shrub. The fiber it produces can not be employed in weaving, but is used for stuffing mattresses, pillows, cushions, etc.

Another textile plant that occurs is the amiray. This plant is found only on the Batanes Islands north of Luzon. It closely resembles ramie and yields a fine, white fiber of great tensile strength.

Various other fiber plants are found in the Philippines, such as the pita (a kind of aloë), the balibago, the dalanct, or nettle-tree, the pineapple, and the cabonegro (a species of palm tree), as well as many other varieties more or less unknown outside of the archipelago.

Professor Worcester (The Philippine Islands, page 505) writes:

A species of tree cotton grows wild on many of the islands. The fiber is too short to be of value for weaving, but it is used for stuffing pillows and the like. Before ripening its pod the tree sheds all its leaves.

Long-staple cotton was at one time successfully raised in Ilocos Norte, but its cultivation was discouraged by the authorities, who preferred to have the natives grow tobacco.

Senate Document No. 171, Fifty-sixth Congress, first session, says of "Coffee and cotton in the Philippines:"

Coffee and cotton were formerly produced in large quantities, the former for export and the latter for home consumption; but the coffee plant has been almost exterminated by insects, and the home-made cotton cloths have been driven out by the competition of those imported from England.

Witnesses before the Commission (vol. 2, first Philippine Commission Report, pp. 274 and 426) testified that cotton could be

raised to good advantage, and named Ilocos Sur and Ilocos Norte and Norte Island as localities especially adapted to its growth.

As confirming the foregoing it will be found upon examination of reports from the islands that the value of cotton exported is but nominal, whereas the importation of cotton in its varied conditions have been as follows (see Philippine summaries):

Value of cotton goods imported in—	
1893.....	\$5,868,819
1894.....	5,877,138
1899.....	4,600,488
1900.....	8,783,076
1901.....	7,110,319

We have not the slightest doubt—

Says Dr. Sam Martin, who has written a valuable little book on the cultivation of cotton in the Philippines—

that with a good choice of land, with the adoption of seed best adapted to the quantity and quality harvested, and with the use of American cotton-working machines, either worked by hand or motor, and without omitting anything essential, the greatest success would crown the work undertaken by cotton raisers.

And this, it says, would lead to factories in Manila.

There is not a question in my mind that China and the Philippines, when the one is aroused and the other exploited, will be as serious competitors to our cotton raisers of the South and manufacturers of cotton goods in the New England States as to our cane producers of the South and beet-sugar raisers of the West.

Manufacturing establishments will be erected in the Philippines under the encouragement of this majority bill. Factories will spring up as they have in Japan and as they are being created in China. These factories will get their raw material which is not produced in the islands from other countries. Woolen mills can secure their wool from China and Australia, and the cotton mills their cotton from the United States until it is produced in the Philippines and China, which, in my judgment, will not be long, and their other raw materials from the same sources from which the Japanese draw their supplies. It is not reasonable to doubt that they will manufacture not only for the trade of the islands, but also for China and the Straits Settlements.

It alarms me, even if it makes no impression on my Republican friends, to contemplate that they will produce woolen goods, cotton goods, and other articles which they will sell in our own markets, because their labor will be so cheap that we can not compete with them even when they pay the cost of transportation. It is not a good argument to answer that when we find they are manufacturing goods and putting them in competition with our own manufactures and underselling us that we can exclude them by our tariff laws.

I am aware of the fact that Congress and the Supreme Court has decided that we can levy a tax on goods coming from Porto Rico and the Philippines. It will not avail us, however, if we put the tariff so high as to exclude the manufactures and other articles produced in the Philippine Islands from the United States. We can not control the tariff laws of the other nations of the world, and these goods, manufactured by this cheap labor under experienced superintendents and foremen from America, will meet and compete with our goods in all of the markets of the world.

It does seem to me we can not escape the conclusion if there is industrial activity and manufacturing carried on in the Philippines by the capital of corporations and syndicates in this country that our own people must suffer. If there is to be no industrial activity, and our capitalists will not go there, then your entire contention is a myth, and we had better stop the tremendous expense which is weighing down on us for nothing and let the natives establish a government of their own. These lands will be cultivated by corporations and syndicates, and these factories will be established by corporations and syndicates, else there will be no cultivation of the lands or establishment of factories.

The majority evidently expect capitalists to form corporations and syndicates for the exploitation of these islands, for they mention them specifically in the bill and offer them the greatest inducements to go there. As I have said before, and I repeat it again, if these islands are exploited by corporations and syndicates it will be to the tremendous disadvantage of the people of the United States. If they are not to be exploited, why not strike these provisions out of the bill?

It must be perfectly plain to anyone who has kept pace with current history that the labor in the fields and in the factories of the Philippines must be performed by Chinese coolies. There is no other labor fit to do this work.

In Hawaii, which is less tropical, Japanese and Chinese coolies perform all of the labor on the sugar plantations, and there is an incessant demand from Hawaii that we amend our immigration laws so that contract Chinese and Japanese labor can be procured for their sugar plantations. The Hawaiian planters say that without Chinese or Japanese labor they can not exist. The same argument applies to the Philippines. The Filipinos themselves

do not object to the Chinese as laborers. Nowhere does it appear that they have an antipathy to the Chinese on account of competition with them as laborers.

The Filipinos, like all other tropical people, are averse to manual labor and will not and can not perform it. The Filipinos object to the Chinese because up to the present time the most of them have become small shopkeepers, and the Filipinos can not compete with them as shopkeepers, a favorite occupation of the ambitious Filipino. White men can not and will not labor in the Philippines or in any other tropical country. They never have done it and they never will. All the testimony, without exception, proves that white men can not and will not perform manual labor in the Philippines. There is nothing left, then, but Chinese cooly labor. In this connection I desire to present some testimony which has come to Congress and the Philippine Committee of the Senate.

The American Chamber of Commerce of Manila. An appeal to Congress for the enactment of laws allowing cooly labor to enter the Philippine Islands under such restrictions and laws as the Philippine Commission may from time to time enact.

To the Congress of the United States of America:

The American Chamber of Commerce of Manila, P. I., respectfully represents to your honorable body:

That by authority and under instruction of resolution adopted at a full meeting of this chamber held on the 3d day of January, 1902, this chamber does petition and earnestly request the enactment of laws by Congress allowing cooly labor to enter the Philippine Islands, under such restrictions and laws as the Philippine Commission may from time to time enact.

The present restrictive law does not benefit the Filipinos, nor is it of benefit to anyone. This labor will not enter into competition with American labor, and its entry into the Philippine Islands is imperatively needed.

Tobacco, hemp, and sugar plantations are only partially cultivated by reason of insufficiency of manual laborers. There are at present people in the city of Manila who came here for the purpose of investing in plantations and to cultivate them upon lines far in advance of the primitive ideas now in vogue. Investors are compelled to either leave these islands or await such time as laborers can be secured. This being the situation at present, without this legislation the Philippine Islands can not be properly developed.

Building in the city of Manila has been retarded for months, and only since the quarantine has been raised and those Chinese entitled to land have returned to these islands has building actively revived.

For the development of these islands, the urgent necessity for the immediate enactment of such laws can not be placed too strongly before Congress. For which relief this chamber, composed of American citizens representing the commercial interests of the Philippines, does most respectfully pray.

F. E. GREEN, *President*.
ROGER A. P. C. JONES, *Secretary*.

The American Chamber of Commerce of Manila. A memorial to Congress suggesting needed legislation for the Philippine Islands.

To the Congress of the United States of America:

The American Chamber of Commerce respectfully represents to your honorable body.

For the immediate passage of laws for the admission of cooly labor, as the native labor is inadequate and insufficient for the development of the resources of the islands.

Adopted at a full meeting of the American Chamber of Commerce held on the 6th day of February, 1902.

F. E. GREEN, *President*.
ROGER A. P. C. JONES, *Secretary*.

I desire at this point to quote from the testimony of Governor Taft before the Philippine Committee, to be found on pages 96 and 97 of the hearings:

CHINESE AND FILIPINO LABOR.

Senator HALE. Do you think it is a possibility or a probability that in expending this large amount of money on public works you will be driven to the necessity of bringing in Chinese?

Governor TAFT. That is what the contractors say.

Senator HALE. You think it may come to that?

Governor TAFT. I hope not. Some of the quartermasters in the Army, Captain Butt, particularly, think it is possible by care to secure labor and teach it constancy. But if you talk with the business man in Manila, who is usually not very friendly toward the Filipino, he scouts the idea; and I think possibly you have already had a petition from the American Chamber of Commerce of Manila to allow the entrance of Chinese, because the labor of the Filipinos is so unsatisfactory.

CHINESE LABOR.

Senator CARMACK. Is there not considerable prejudice among the Filipinos against the introduction of Chinese?

Governor TAFT. Yes, sir. It is a political question as well as an industrial question. It is one upon which the Commission has made no recommendation, because it is such a delicate question.

The Chinaman comes into the country and labors, say, at 12 silver dollars a month and 15 silver dollars a month. Out of that, the local saying is, he saves \$16 or \$18. At any rate, he is not there for more than three or four months before he has capital enough out of what he has earned to set up a store, and when he sets up a store the Filipino who has a store next to him is driven out of business. It is not so much his competition as a laborer that attracts the hostility of the Filipino as it is his competition as a merchant.

I also quote from the testimony of General Hughes, to be found on pages 643 to 648 of the hearings:

LABOR CONDITIONS IN THE ISLANDS.

Senator DUBOIS. Yes, sir. Yesterday I presented to the Senate and had read an appeal from the American Chamber of Commerce of Manila. I think almost every Senator received the same appeal.

The CHAIRMAN. It was presented to the Committee on Immigration, too. Senator DUBOIS. I will not read it all unless you desire me to, but it says: "Tobacco, hemp, and sugar plantations are only partially cultivated by reason of insufficiency of manual laborers. There are at present people in

the city of Manila who came here for the purpose of investing in plantations and to cultivate them upon lines in advance of the primitive ideas now in vogue. Investors are compelled to either leave these islands or await such time as laborers can be secured. This being the situation at present, without this legislation the Philippine Islands can not be properly developed."

The legislation they ask for is the repeal of the laws of Congress in regard to Chinese immigration, so that cooly labor shall be allowed to enter the Philippine Islands. Can white labor develop the agricultural lands in the Philippine Islands?

WHITE LABOR A TOTAL FAILURE IN THE ISLANDS.

General HUGHES. My own opinion is that white labor will be a total failure. I mean the actual labor.

Senator DUBOIS. In cultivating the fields?

General HUGHES. Yes, sir.

Senator DUBOIS. And doing the manual labor?

General HUGHES. The white man who expects to work his own land will die in a very short time.

LABOR IN CULTIVATION OF LANDS.

Senator DUBOIS. What labor can cultivate those lands? Take timber, for instance. When they fell the trees and do the manual labor in cutting the timber, what labor is necessary to do it?

General HUGHES. The native is not good at anything that is heavy. He is a weak man when it comes to lifting or anything of that kind. I can illustrate it. I had to rebuild the bridge at Iloilo, and I could not stop traffic, because the troops had to be supplied by way of that bridge. I detailed one of my aids in charge of it, gave him all the natives that could work conveniently, with his means, and he finally came to me and said he could not do it. The only way I got it done, without stopping the traffic and delaying everything, was to make a promise to a dozen American prisoners who were held there that if they would build that bridge—that is, drive the piles for it, which was the hard work, which it was estimated would take thirty days—they should be pardoned and sent home. They took it and carried out their contract to the hour.

CHARACTERISTICS OF FILIPINOS.

Senator DUBOIS. Are they not like all Latin races, or all people who come under the domination of the Spaniards, indolent; and if they do not go to a bullfight, will they not go to a cockfight? Will they not go off for two or three days if they get two or three dollars? Can you depend upon them as laborers, even if they had the physical ability?

General HUGHES. They are lazy. They want at least three days in a week, if you give it to them, and they want to go to cockfights, and they want to gamble, and they want to whet up their bolos.

LABOR IN THE ISLANDS.

Senator DUBOIS. Our bill provides for franchises. We invite capital over there. You are a pretty robust American yourself. Americans will go there with capital. They will want some labor. They are not going to sit around and theorize and wait for the development of the Filipino mind. They want action for their money. Where are they going to get their labor? What labor is there for them?

General HUGHES. I should not be surprised if they could get the negro from America. I have looked into this matter. They can get labor from Japan without any trouble at all.

Senator DUBOIS. They can get the Japanese. There is no restriction against them.

General HUGHES. They can get millions, of course, from China.

Senator DUBOIS. You can not get the negro, if you will pardon me. We can not deport the negro. He will not go. There is nothing left except Japanese and Chinese labor, is there?

General HUGHES. That is about the way I figured it up. The Chinaman is a very much superior man to the Filipino.

The CHAIRMAN. For labor, you mean?

General HUGHES. For labor. We used them altogether in our carpenter work and anything of that kind which had to be done in our building operations.

The CHAIRMAN. That is, skilled labor?

General HUGHES. Skilled labor. The native is a very poor carpenter or general workman. He is quite apt in machinery. He has deft fingers and can manipulate things excellently. As a machinist he is quite apt to be a success, and we use him on quite a number of our boats, and if he was not too lazy to keep it in order—

WHITE LABOR OUT OF THE QUESTION.

Senator DUBOIS. You have stated that white labor is out of the question?

General HUGHES. It is, in my opinion. I think the man would die as soon—

Senator DUBOIS. There is nothing left, of course, except some dark labor?

General HUGHES. Yes.

WHAT LABOR WILL THE ISLANDS GET?

Senator DUBOIS. Let me ask you a question which you can answer directly. What labor do you think they will get there, white labor being excluded?

General HUGHES. And you also want the Japanese left out?

Senator DUBOIS. No. What labor will they get?

Senator PATTERSON. Outside of white labor?

Senator DUBOIS. White labor being excluded.

General HUGHES. I hope Japanese. They have a good deal of Chinese labor there now.

Senator DUBOIS. What do you believe?

General HUGHES. I have no doubt that will increase.

The CHAIRMAN. It is now restricted. The Chinese are shut out.

General HUGHES. But you can not keep them out.

Senator DUBOIS. I am coming to that, if you will allow the General to answer my question, if he will. White labor being excluded, what labor is going there?

General HUGHES. I think it is mainly Chinese.

I now turn to the testimony of General MacArthur, who differs a little from the other witnesses. He deprecated the exploitation of the islands by Americans. He was very much opposed to corporations getting large tracts of land. If I interpreted him correctly from his testimony, he desired that the Filipinos themselves should develop their own country slowly and gradually. I quote from him, pages 1379, 1380, and 1383:

Senator DUBOIS. These lands under this bill which we are now considering are to be leased or sold in tracts of not less than 5,000 acres. That is the bill that we are considering.

The CHAIRMAN. Not exceeding 5,000 acres?
 Senator DUBOIS. Not exceeding 5,000 acres.
 General MACARTHUR. You mean the undeveloped public lands?
 Senator DUBOIS. The undeveloped public lands; yes. Now, it is a reasonable supposition that if Americans go over there to cultivate those lands, to put them into sugar, in organizing companies they will take 5,000-acre tracts. Suppose they should take them in large tracts, can the Filipinos do the farm labor and cultivate those lands?
 General MACARTHUR. I think so. They can do it to the extent of necessity so far as the public interest requires, most decidedly.
 Senator DUBOIS. Can they do it to the satisfaction of the Americans who go over there?
 General MACARTHUR. Not to the satisfaction of the American or European exploiters, no; but they can do it to the limit of necessity and the beneficial interests of the nation, both American and Philippine.
 Senator DUBOIS. I can not quite understand that answer, General. You of course are very familiar with Americans and their methods. You know, as all of us do, that the Americans have now advanced in industrial life to such an extent that nobody can compete with them.
 Senator DIETRICH. Could I ask the General a question right there—
 Senator DUBOIS. I do not care to be interrupted right in the middle of a question.
 Senator DIETRICH. It is along that line.
 The CHAIRMAN. It had better wait until Senator Dubois finishes his question.
 Senator DUBOIS. And knowing the enterprise of our capitalists, if they go over there and put their money in, they will want returns for it, and they will want labor which is satisfactory to them. Will the Filipinos, in your opinion, perform this labor to their satisfaction?
 General MACARTHUR. They will perform the labor. Whether it will be to the satisfaction of those people you describe I do not know. From my own point of view I deprecate the idea advanced in your question, that we are going to sell public lands there in blocks of 5,000 acres, with a view to rapid exploitation. That I should regard as disastrous both to American and Filipino interests, absolutely.
 Senator DUBOIS. That is in the bill which we are considering, which is going to pass.
 General MACARTHUR. Well, I should answer your question with a modification stating that the Filipinos would furnish the labor.
 Senator DUBOIS. Would not?
 General MACARTHUR. Would. They would have to be paid to do it, though, on the basis of American labor.
 Senator DUBOIS. What would the Filipino farm hands charge for their labor?
 General MACARTHUR. They would charge what they could get, and if that kind of work was undertaken they would charge a great deal; they would charge about what they do in Montana, probably.
 Senator DUBOIS. They would charge what farm hands would in Montana?
 General MACARTHUR. Yes.
 Senator DUBOIS. Do you think these American capitalists would employ them?
 General MACARTHUR. I do not think they would.
 Senator DUBOIS. You know the Filipinos and their capacity for work. Do you think they would employ those Filipino hands?
 General MACARTHUR. I do not think they would.
 Senator DUBOIS. Then, they would not open up the land?
 General MACARTHUR. Then that would be a good fortune to everybody concerned.

Senator PATTERSON. Then, under the most favorable auspices at the present time, a Filipino is willing to work for one-third of what the American is willing to work for?

General MACARTHUR. I should say so offhand; yes.

I quote from the testimony of General Otis, to be found on pages 837-841 of the hearings:

HOW ISLANDS TO BE DEVELOPED.

Senator DUBOIS. Let me ask you this question: If we have any object in view at all it is to develop those islands. If we develop those islands, will we not have to do it with some labor outside of the Filipinos?

General OTIS. Yes; if we develop them rapidly. If the development is slow, the Filipino might furnish sufficient labor.

Senator DUBOIS. Then, if we do not get some labor outside of the Filipino labor the islands will not be developed, will they?

Senator BEVERIDGE. He does not say that.
 General OTIS. No rapid development; probably no satisfactory development.

Senator DUBOIS. I am perfectly sincere, as these gentlemen know. I am very much interested in this branch of the question and its connection with the civil bill which we have under discussion. Now, that being so, these men, I assume, if they go over there with their capital, will want to get some returns for their investments. Now, white labor being excluded and Filipino labor not being adequate and satisfactory, what labor do you think would most naturally be demanded?

General OTIS. They wish cooly labor undoubtedly.

JAPANESE SATISFACTORY LABORERS.

Senator DUBOIS. The Japanese, of course, could come in. There is no exclusion law against them?

General OTIS. No.

Senator DUBOIS. Would the Japanese be as satisfactory as the Chinese cooly labor?

General OTIS. They would be very satisfactory, I think.

Senator DUBOIS. The Japanese would be as satisfactory as the Chinese cooly?

General OTIS. They affiliate with the Filipino.

Senator DUBOIS. And stand the climate well?

General OTIS. Yes; they stand the climate well.

PETITION FOR REPEAL OF EXCLUSION LAW.

Senator DUBOIS. Now, this is the second petition that has come from the American Chamber of Commerce insisting that Congress shall remove the restrictions in regard to Chinese cooly labor, and in addition to that, in the Hawaiian Island they are pressing us constantly to allow Chinese and Japanese labor to come in; they say that otherwise they can not cultivate their sugar fields. Do you not think that when this American Chamber of Commerce is augmented by these capitalists, whom we induce to go over there to put in their capital, that the demand will be incessant on us to allow Chinese cooly labor to come in?

General OTIS. I think you will receive constant demands from these companies. You see, it is for their pecuniary benefit, and I have no doubt you will get demands constantly.

Senator DUBOIS. I can not see what we are going to do—

General OTIS. I should say Chinese labor under restrictions, limiting the number.

Senator DUBOIS. It must be Chinese labor or Japanese labor?

General OTIS. Yes; there is no other foreign labor there, I think, that could remain for any length of time under the conditions of climate.

INDUSTRIAL CONDITIONS IN CHINA AND JAPAN.

Senator DUBOIS. That would be the same if, for instance, great manufacturing establishments like they have in Japan—have you been to Osaka?

General OTIS. No.

Senator DUBOIS. Well, they have great manufacturing establishments in China and Japan.

General OTIS. Yes; I am aware of that.

Senator DUBOIS. If our capitalists would erect a great manufacturing establishment, woolen mills and cotton mills, like they have in Japan, employing 2,500 or 3,000 hands, would not the same difficulties of labor present themselves?

CHINESE POPULATION OF ISLANDS.

General OTIS. That is not that class of labor, to a certain extent. I estimate the Chinese population at about 85,000, and a large part of it is concentrated in Manila. And we never have had any difficulty in getting all the Chinese labor we wanted.

Senator DUBOIS. Some estimate it as high as 150,000.

General OTIS. I do not think there are that number of them.

Senator DUBOIS. Say 85,000.

General OTIS. That would be a very large supply to draw from, and of course it would run a great many factories, and possibly it would be some time before we would have to let the cooly labor in.

Senator DUBOIS. But that would be the labor they would get, would it not—either that or the Japanese?

FILIPINO LABOR.

General OTIS. And also Filipino labor. Now, some of those large establishments are carried on entirely by Filipino labor to-day. Take the cigar manufacturers, for instance.

Senator DUBOIS. How many hands do they employ?

TOBACCO INDUSTRY.

General OTIS. Oh, I suppose there are 10,000 people employed in the tobacco industry in Manila at the present time. The Filipinos came to me after I had been there for a short time, and they wished to know if they could establish a tobacco manufactory. I had quite a long conversation with them, and I replied that they could, but to keep all the stock in the hands of the Filipinos; not to let the Europeans or anybody else outside have any of the stock. They went to work and built up quite a large establishment, and I suppose that stock to-day is worth 200 or 300. They employ 300 or 400 men.

Senator DUBOIS. That work is not nearly so heavy, however, as the work in woolen mills and cotton factories, and is not so constant?

General OTIS. I think there is a great deal of Chinese labor in the islands at the present time; a good deal of Filipino labor. All the work on the railroads is done by Filipinos. All the officials are Filipinos except a few of the most important officers.

Senator DUBOIS. Now, General, you have stated that white labor is out of the question, and that the Filipino labor is inadequate and insufficient, and that there must be some other labor, either Chinese or coolies or Japanese.

General OTIS. Asiatic labor; yes.

In addition to the accepted facts known to us, that labor can not and will not be performed by white men in the Philippine Islands, is the testimony of the representative men of the Army and the Administration, that the labor must be performed by Chinese coolies. General MacArthur thinks if the lands are opened in small tracts that the Filipinos could do the labor. He would not admit that it was in contemplation to sell the lands in 5,000-acre tracts. General MacArthur did say that a Filipino would work for one-third what a white man would demand.

There are some things so patent, so inevitable, that men of common intelligence can not fail to comprehend them. There is not a Senator on this floor who does not know that when our capitalists go to the Philippines and start up these great industries, of the factories and of the field, their demands for labor will be so incessant that they will be heard. There was a strong sentiment, and there is a growing sentiment among the leaders of the Republican party against rigid laws for Chinese exclusion, even in the United States.

Those most familiar with the menace to our labor in this country by Chinese competition, those most familiar with the habits of the Chinese—I mean the Representatives in the other branch and the Senators from the Pacific coast States—were unable at this session to pass such a Chinese-exclusion law as was demanded and as is necessary. So far as this body is concerned, the Chinese-exclusion act passed at this session was to extend only for a few years.

Until the Chinese cooly is allowed to go into the Philippines the Japanese cooly will go there and perform the labor. There is no law to exclude them. The Chinese cooly is preferable, and with such extended coast they will be smuggled in in as large numbers as are wanted. At the present time there are, so far as I can ascertain, about 150,000 Chinamen in the islands, who can do an immense amount of work, and will do it if they have constant employment and certain wages, which they will receive from the capitalists who start enterprises there.

Mr. McCOMAS. If the Senator will permit me, has he been able to estimate the number of Japanese coolies now in the Philippines?

Mr. DUBOIS. I did not try to ascertain the number.

Mr. CARMACK. If the Senator from Idaho will permit me, I will call his attention to the fact that General Hughes, in his testimony, said that if we did pass laws to exclude Chinese from the

islands it would be impossible to keep them out of the Philippine Islands; that we could not keep them out.

Mr. DUBOIS. I suggested that in view of the great extent of the coast we can not keep them out, judging from the difficulty we have had in keeping them out of this country.

Mr. BEVERIDGE. Does the Senator understand that the Chinese are increasing in numbers there now?

Mr. DUBOIS. In the Philippine Islands?

Mr. BEVERIDGE. Yes. That question is brought out by reason of the remark made by the Senator from Tennessee.

Mr. CARMACK. Does the Senator from Indiana ask me the question?

Mr. BEVERIDGE. I will ask the Senator.

Mr. DUBOIS. I do not know whether or not they are increasing now.

Mr. GALLINGER. If the Senator from Idaho will permit me, I presume I am correct in the recollection that the Chinese legislation of the present session of Congress absolutely prohibits Chinese going into the Philippines?

Mr. DUBOIS. I never questioned that at all.

Mr. GALLINGER. So if they get in, they get in just as they do in the United States, by fraud or in some other objectionable way.

Mr. TELLER. They will get in.

Mr. CARMACK. If the Senator will allow me I will suggest the difference. One is that they can more easily get into the Philippine Islands, with its extent of coast line, and in addition to that there is the almost general sentiment among Americans in the Philippine Islands in favor of letting them in. It would be practically impossible to keep them out, with no effective public sentiment to enforce the law.

Mr. BEVERIDGE. Will the Senator from Idaho permit me to ask the Senator from Tennessee a question? I have refrained from interrupting the Senator from Idaho, because I have perceived that he was making a connected argument, although several times I wanted to ask a question. But the Senator from Tennessee has made a statement which calls for a question which is pertinent.

Mr. DUBOIS. I yield.

Mr. BEVERIDGE. Does the Senator from Tennessee understand that the Chinese population of the Philippines is increasing or has increased since General Otis's order excluding them?

Mr. CARMACK. I have not taken any census of the Chinese population over there and I do not know anything about it.

Mr. BEVERIDGE. No; but you have made a statement to the effect that the necessary operation of the geographical location and other conditions there would be that Chinese-exclusion laws would not be effective. Therefore it is pertinent to ask the Senator whether he has any facts to show that there has been an increase in the Chinese population. As a matter of fact there has not been.

Mr. CARMACK. I am simply drawing an inference. I do not suppose the Senator from Indiana knows.

Mr. BEVERIDGE. I will be glad to submit to the Senate what I know.

Mr. CARMACK. I am drawing a logical inference as to what would be the natural result.

Mr. DUBOIS. I have been attempting to prove that if the majority bill passes and capitalists go there the islands can not escape Chinese labor. If I have not proved it, of course Senators will not accept my conclusions. I should not think the Chinese would go there much now, and I have not said they would until the majority bill passes and becomes operative.

As I have said before, and I repeat it again, if there is anything needed by the Chinese which they themselves or the Japanese do not supply, it will be supplied by the Philippines, and raised or produced by as cheap labor almost as they have in China and Japan. The outlook, if this bill passes, is not promising for anyone except the capitalists, except the corporations and syndicates. The only trade the United States now has, or will have in any event, with the Philippine Archipelago is with our own people and with the foreigners who go there.

There is nothing that we have which the Filipinos will care for. This trade will increase about in the same proportion as the foreigners will increase in the islands, and the number of foreigners will be small. This has been the case in all tropical countries in the past, and will, of necessity, be the case in the future. The only Americans and foreigners who will go there will be officeholders and those who are investing capital. These will constitute a small class. They will, however, practically be our only consumers. The total trade of the United States with the Philippine Islands is about \$5,000,000 per year.

I can not see how this trade can be very greatly increased. We have spent more money in the prosecution of the war in the Philippine Islands than the profit of all the trade with those islands will amount to in the next one hundred and fifty years. If this

war should stop now it would take us over two hundred years to get even through profit on our trade with these islands. Every day we remain in the islands the greater our loss will be. I will, with the consent of the Senate, present, without reading, for the information of the Senate and the country, a detailed statement of the commerce of the Philippine Islands with every nation in the world with which they trade:

COMMERCE OF THE PHILIPPINE ISLANDS.

Exports, by countries, excluding gold and silver.

Countries.	Twelve months ending December—		
	1899.	1900.	1901.
Europe:			
United Kingdom.....	\$3,531,995	\$8,105,220	\$11,126,226
Germany.....	24,360	126,729	81,432
France.....	574,929	2,533,607	1,323,513
Spain.....	977,106	1,566,972	1,263,150
Italy.....	1,720	5,131	15,057
Austria-Hungary.....	750	406,865	80,150
Belgium.....		20	11,778
Gibraltar.....		12,802	3,481
Malta.....		5,919	
Netherlands.....	1,300		1,543
Portugal.....		185	
Russia.....			4,034
Switzerland.....	843	18,438	210
Total Europe.....	5,112,503	12,781,888	13,910,574
Asia:			
Arabia.....			167
China.....	4,013,506	238,827	118,003
Hongkong.....		3,870,994	2,924,974
Japan.....	1,022,020	794,453	1,584,218
Korea.....		520	400
Aden.....			92
Siam.....		42,304	432
Turkey.....		191	
British East Indies.....	368,345	1,009,388	728,163
Dutch East Indies.....	22,244	16,027	18,599
French East Indies.....		396	1,622
Portuguese East Indies.....		434	263
Total Asia.....	5,426,115	5,973,534	5,376,933
Africa:			
British.....	3,341	16,059	30,152
Egypt.....	41,119	612,340	282
Total Africa.....	44,460	628,399	30,434
North America:			
United States.....	3,935,255	2,990,851	4,546,292
Canada.....	4,721	15,005	11,241
Total North America.....	3,939,976	2,976,456	4,557,533
Central America—Guatemala.....		349	155
Total Central America.....		349	155
South America:			
Argentina.....		1,307	356
Bolivia.....			210
Brazil.....		1,920	
Uruguay.....		238	300
Total South America.....		3,465	896
West Indies—Cuba.....		100	
Total West Indies.....		100	
Oceania:			
German.....	603		101
Spanish.....	2,822		
Australasia.....	320,103	621,892	621,200
Hawaii.....		4,200	2,806
Guam.....			2,751
Total Oceania.....	323,528	626,192	626,858
Total, all countries.....	14,846,582	22,990,373	24,503,353

Mr. HALE. Right here, touching the question of oriental trade, has the Senator in his investigations seen the figures showing the proportion of Great Britain's trade with her great colony, India, with about 250,000,000 people?

Mr. DUBOIS. I will say to the Senator that I have looked up those statistics, but did not see any place to use them.

Mr. HALE. England's trade with her great Indian colony of 250,000,000 people, the oriental trade of Great Britain, is only about 7 per cent of her trade. Compared with her other trade it is as nothing.

Mr. DUBOIS. I should think that would be the case wherever white people dominated orientals or dark people. White people will not go there to live. About the only trade that the mother country can have with the colonies is with the white people who are there. As a general rule I think that will hold good.

Some Senators on the other side state that they have never said, nor will they say, that they intend holding the Philippine Islands

permanently. Some, like the Senator from North Carolina [Mr. PRITCHARD], state in plain terms and with emphasis that we will never give them up. The great majority on that side, however, and those who are in sufficient numbers and have sufficient influence to determine the policies, announce that there is no necessity to say what they will do in the future. The policy is, as announced by these leaders, who constitute the majority of the Republicans, to meet every question as it arises, to do the best they can for the present, and to solve future difficulties and questions as they may arise in the future.

I have tried, in what I have said, to be temperate in language. I have endeavored to argue the question presented by this majority bill fairly, with good temper, and honestly. I do not think it will be easy to get out of the Philippine Islands, should future events demonstrate the wisdom and necessity of doing so, after American capital has gone there and is being employed under the tempting opportunities presented by this bill.

Do they not know, if this bill passes, the difficulties in our path will be multiplied many times, provided in the future it is deemed patriotic and wise to allow the Filipinos their own independent government? The granting of these extra privileges and unusual inducements which are offered to corporations and syndicates, it seems to me, contemplates a fixed purpose on the part of the advocates of this bill to retain the islands for all time to come as a colony, as a dependency of the United States.

Under the bill which we are now discussing, not only are these enormous tracts of land to be turned over to syndicates and corporations, but all kinds of franchises are to be granted. Capitalists are invited there with the offer of unusual inducements.

Under this bill the Philippine Commission, appointed by the President, some of whom are natives, and who have been appointed commissioners because they proved themselves traitors to their own people, and who have been rewarded with high and responsible positions on the Commission for their subservience to the American powers, are to grant these franchises to whom ever they see fit, receiving in return for the same such compensation or no compensation, as they choose to determine.

The Commissioners, some of whom, as I said, are subservient natives, who have abandoned their own people in their great fight for independence, are given the power to lease lands in immense tracts to corporations for whatever rental they may fix upon. They can grant the privilege of cutting timber to such corporations as they may choose to befriend and on such terms as they may be disposed to make.

The Americans on the present board of commissioners are men of high character, but they may all be dead within a month, or they may come home. It is not reasonable to suppose that men of the character of Judge Taft can always be secured to undertake the task which he has imposed upon himself. As a general proposition, it is evident that the best men of the United States are not going to forsake their homes and their business and go over to the Philippines in order to administer the affairs of the islands on high and philanthropic planes. The men who seek these positions will be the usual class of place hunters, who regularly besiege each President when he comes into office for positions which carry handsome salaries. The passage of this bill must result in scandals which will cause us all kinds of humiliation.

Under the wise policy of the Republican party, before the Democratic slogan of the "markets of the world" took possession of that party, and they commenced buying foreign markets by buying islands for money or subduing them with the sword, we had become the greatest commercial nation in the world. I was fond of saying on the stump, when I occupied a seat on the other side of the Chamber, that the "home market" was the greatest market for the United States, and I assert now that within six months after you admit Arizona, New Mexico, and Oklahoma to statehood the profit to the manufacturers of the United States on their trade with any one of these new States will be greater than their combined profits on all of their trade with the Philippines and other oriental countries.

Our farm and manufactured products have become so great that they not only supply us, but go abroad. It has been demonstrated that no nation can compete with us in trade. Our trade has gone to the countries where there is a natural demand for our products, and it will continue to go to those countries which are similar to ourselves, who desire the things we desire, and who are not able to produce these things in sufficient quantities to supply their own wants.

We can not force trade with a people who can raise the things we offer to sell them and in greater quantities than is necessary to supply their own wants. We can not force oriental people into taking our goods, which they do not want and have no use for.

I commenced my remarks with the statement that if it could be demonstrated that there could be no commercial benefit to the United States in retaining the Philippine Islands as a colony, and if it could be demonstrated that the oriental trade was a menace

and not a blessing, that we would quickly see our way clear to aiding the Filipinos to establish an independent government of their own.

I have not touched on the other very interesting phases of this great proposition which confronts us, but have contented myself with endeavoring to demonstrate that the oriental trade is a delusion and the advantage of the Philippines to us commercially is an idle Eutopian dream. Mr. President, it seems to me that the mission of our great Republic is to ameliorate the condition of the white man of the world. We started out by inviting all those who loved freedom of speech and conscience and liberty to pursue their own plans of life, under wise restraints, to come among us. We asked them to participate in our Government and to help us to administer it in justice to themselves and to all people. We stood as a beacon light of hope to the civilization of Europe and Asia, an inspiration to both. We held aloof from the political affairs of both. The hope of the white race of the world is not in tropical countries; it is not in Asia, in Africa, or in Europe.

Mr. President, the last refuge and inspiration to the struggling white people is in the United States and in British Columbia, to our north. West of the Missouri River and in British Columbia is enough rich, undeveloped country to sustain a population four times as large as the United States now contains. As this country and the South, with its undeveloped resources, is reclaimed by capital, substantial markets will be opened for all worthy business enterprises. Let us continue to invite the sturdy German, Swede, Norwegian, English, Welsh, Irish, and other white people to come to us and aid in opening up our great natural resources. Let us not seek to force trade with Orientals by making subjects of Malaysians.

Who is to be benefited by this new departure? When we talk about trade with the Orient and the riches of the Philippines, which are to be opened to the investment of capital, who is to be benefited? The answer is quick and ready and admits of no denial. The capitalist is the one who will reap the harvest, and he will do it at the expense of all of the other people of the United States.

The advocates of the majority bill urge as one reason for its passage, and as one reason for holding the Philippine Islands and exploiting them, that they will be an open door to Chinese trade. We had better pause and ponder well before entering this new field. The dragon is sleeping quietly now. The monster is inert, surrounded with the conservatism of centuries of time, without motive to arouse itself, drugged with the philosophy of Mencius and Confucius, which deadens competition and ambition. Is it wise for us to pull this dragon's teeth and sow them broadcast over the Empire? The one monster has no desire to have dealings with us; has no desire to be stirred from his lethargy. For every tooth of this monster which we pluck and plant, thousands of active, irresistible dragons will spring up, whose energies will be devoted to devouring the world. All the earth outside of China will be their prey. Looking to the interest of the white laboring race of the world, are we pursuing a wise course in disturbing this sleeping dragon? [Manifestations of applause.]

The PRESIDING OFFICER (Mr. PLATT of Connecticut) rapped with his gavel.

Mr. BEVERIDGE. Mr. President, I shall not at this late hour detain the Senate long, and indeed the many points made by the honorable Senator from Idaho [Mr. DUBOIS] deserve a reply at greater length than the time of day affords. But some points have been made which to my mind demand answer on the instant.

The Senator in his concluding remarks seemed to admit the proposition that the retention of the Philippine Islands would be an open door for the entry of American trade into China, but he said that there resided a dragon in China which we must not awaken. The whole argument has been an effort to frighten the American people with the dragon of China, and with that one dragon I had supposed the Senator's fertile imagination would pause. But no. One dragon was not sufficient. He must arouse a thousand dragons, though I do not know whence they are to come. "If you arouse the sleeping dragon of China," said the honorable Senator, "and pluck out and sow his teeth, you will create a thousand dragons." He referred by that, Mr. President, to the imaginary danger to American industries from Chinese competition—a danger as imaginary as the Senator's dragons.

The subtle argument of the Senator rests upon one fundamental misconception, the error of which it will not take very long to demonstrate. The Senator said that the Chinese, when they learned how to employ modern industry, when they imported modern machinery and modern methods of manufacture, would not only supply themselves, but would produce a surplus which would be a menace to our own production and trade, and that therefore instead of there being a possibility of increase for American exports to China and the Orient the exact reverse would be the consequence of any effort to extend our oriental commerce.

And so it was stated by the Senator from Idaho that it was our duty, so far as in us lay, not to encourage the development of China, because to the extent to which China was developed our own foreign trade would be menaced. Mr. President, is that true? If it is true at all, it is universally true. If it is true of one country, it is true of another country. If it is true that the development of China would not increase but decrease American trade with China, it is equally true that the development of Germany would not increase but decrease American trade with Germany. If it is true that, for a people whose labor is paid less wages a day than ours, to increase their agriculture, to increase their manufactures, to diversify their industries in general would be a menace to our trade, because we could not sell as much to them as before, but instead they would invade our own markets, then it would have been far better for us if Germany, instead of having developed into the magnificent industrial organization into which she has developed, had remained the forest land and the roaming people of a thousand years ago. The argument of the Senator from Idaho is that it would have been better for the American farmer and the American manufacturer, so far as trade with Germany is concerned, if Germany had remained without a factory and had remained without modern methods of agriculture.

But, Mr. President, is that the case? Certainly not. Steadily and rapidly our exports to Germany have increased. I looked up the figures while the Senator from Idaho was talking. In 1892 we sold to Germany \$105,551,000 worth of American products, and in 1901 we sold Germany \$191,780,000 worth of products.

According to the argument of the Senator from Idaho our trade with Germany ought to have decreased, because every day Germany's manufacturing industries and Germany's agricultural productiveness have increased. The argument of the Senator from Idaho is that when a foreign country to which we may export increases its industries our trade with it must decrease. Yet our trade with Germany steadily and rapidly increases, and it increases in proportion to the increase of German internal industry.

If this is true of Germany it is also true of France, and so the figures show. It is also true of England and of every country, and so the figures show. Up to a certain point the greater their internal development the larger our sales to them. If true of these countries, will the Senator from Idaho tell me why it will not also be true of China?

Apply the Senator's argument to our own conditions here at home. The Senator's argument is that the farmers of Illinois will be endangered by the prosperity of the farmers of Iowa; that as the farmers of Iowa increase their industrial productiveness they will more and more compete with the farmers of Illinois, and therefore that it is to the disadvantage of the farmers of Illinois for Iowa to be developed. Who believes that? And who can believe that it is to the disadvantage of the manufacturing industries of the United States for Germany to be developed; that it is to the disadvantage of the exporters of the United States for China to be developed? Yet that is the argument of the Senator from Idaho, an argument refuted by all the facts, because the places where our export trade has increased most rapidly are the places where the internal industries of those countries have increased more rapidly. And up to a certain point this is a universal truth of commerce.

So it is that following the example of Germany, of England, of France, as their internal development and that of every country increases, their purchases from us increase.

Yet the converse of that plain proposition is the sophistry upon which the whole argument of the Senator from Idaho rests. Upon the surface it looks plausible and reasonable that if a country to whom we are selling our products increases her products of course our sales to her must decrease. But it is not true, Mr. President, as a matter of fact, nor is the reason hard to find, because as a country to whom we sell our goods diversifies its industries, increases its productiveness the wants of its people also increase, and the capacity of that people to purchase what we make also increases.

And so it is that if Germany, France, England, and every other country increases in intelligence, increases in productiveness, increases in diversification of industry, our sales to them also increase. They want more and they have more money wherewith to supply their expanding desires.

Can any Senator point out to me why this same law would not work with China? Of course it will work with China. As her mines are opened, as railroads are built, as industries are diversified, as the best methods of agriculture call from her soil those products for which they are most fitted, as schools enlarge her people's intelligence, the wants of those people will increase as the wants of the German people increased, with the increase of their internal industry and intelligence, and as those wants increase our opportunity to supply them will increase.

I was very glad that the Senator afforded me an excellent illustration to support this plain law of commerce in using an illustration for himself to support his proposition. He spoke of Japan; and yet everybody knows that Japan's productiveness has increased more in the last twenty-five years than in all her history, so far as her exports are concerned. Has that meant a decrease of American exports to Japan? I was out for a moment, but I understood that the Senator said while I was absent that our trade was falling off with Japan; and it was necessary for his argument that he should so state. But while he was speaking I looked up that point, and I will read for the information of the Senator and of the Senate the facts about it. In 1892 our exports to Japan were \$3,000,000 and a little over.

Mr. DUBOIS. Mr. President, of course I am quite willing that the Senator shall read it. I did not make such a statement, however. So there will be no point in the Senator reading it in answer to a statement which was not made.

Mr. BEVERIDGE. Very good. Then I will simply sum up the facts about it for the argument that I am now making, to show the fallacy of the Senator's proposition that the development of China means the destruction of American exports to China. Japan has developed, and as Japan has developed our exports to Japan have increased. It is true that in 1901 there was a decrease of \$10,000,000, but the increase from 1892 to 1900 had steadily grown from \$3,000,000 a year to \$29,000,000 a year.

Does not the Senator know why there was a falling off in 1901? The world knows it so well that I shall not take the time of the Senate to animadvert upon it. We know the troubles in China just at that time. We know the paralysis of trade in the East at that time. We know the closing of the markets to much of Japan's exports to China at that time, and therefore the decrease of her demands from us. That is one explanation of that falling off. But generally our exports to Japan have increased so that where we sold Japan \$3,000,000 worth of our products, in 1900 we sold Japan \$29,000,000 worth of our products.

Now, Mr. President, if it is true that as Germany industrially and manufacturally has developed our sales to her have increased, if it is true that as Japan has industrially developed our sales to her have increased, why would it not also be true that as China develops industrially our sales to China will increase?

As a matter of fact, Mr. President, that is precisely what has occurred. Within ten years our sales to China alone have increased more than 100 per cent. The whole trade in exports by all the nations of the world to China is from \$250,000,000 to \$285,000,000. By reason of our geographical location at least 50 per cent of that trade ought to be ours. The Senator admits that the Philippines, if China's trade is worth having, is an open door to that trade. If being established that 50 per cent of an export trade of \$250,000,000 to \$285,000,000 is worth having, it is therefore demonstrated that the Philippines, as a door to that trade (which the Senator admits), are also worth having. And if China now buys \$250,000,000 from the world, developed China will buy \$1,000,000,000 from the world.

Mr. President, I was interested in the question of the Senator from Maine [Mr. HALE] and the remarks made thereon in support of the general proposition of the Senator from Idaho about the trade of England with India. I shall not go into that at large to-night any further than to illustrate the general proposition which I am now arguing. The hour is too late for comprehensive comment. But one fact may be noted in passing. England sells to India every year something in the neighborhood of \$200,000,000 worth of English exports. Is that little item of trade worth having? To the Malay Straits Settlements England sells every year something over \$15,000,000 worth of exports. To the little island of Ceylon England sells every year something over \$10,000,000 worth of exports. England sells to her dependencies and through her trade centers to the Orient something over \$500,000,000 of English exports every year.

I should like to ask the Senator or any person who holds the opposite view what he thinks would become of the English factories if that export trade of \$500,000,000 a year was taken away from them. I fancy that if England was suddenly bereft of her opportunity to sell \$500,000,000 worth of goods a year which goes to her dependencies and the Orient and not to her self-governing colonies there would be a bankruptcy throughout commercial and manufacturing England within a few months that would largely resemble the bankruptcy in manufacturing and commercial circles some years ago in this country. And yet, the Senator tells us that oriental trade is a dangerous dream.

Mr. CARMACK. Mr. President—
The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. BEVERIDGE. Certainly.
Mr. CARMACK. Does the Senator assume that if England did not hold those countries as dependencies she would have no trade with them?

Mr. BEVERIDGE. I assume that she would not have nearly so great a trade with them, and the facts so prove.

Mr. CARMACK. If the Senator will permit me—

Mr. BEVERIDGE. Certainly.

Mr. CARMACK. The facts prove that England's exports to practically every one of her colonies and dependencies have been decreasing for a number of years, while the trade of the United States with the colonies and dependencies of Great Britain has been increasing.

Mr. BEVERIDGE. Yes; and, Mr. President, the causes of the beginning of the decline of English trade are well known, I doubt not, to so careful a student as the Senator. The Senator well knows that it is too late an hour in the evening to enter into a large and extended discussion of the causes for that decline. I would have been glad if this matter had been taken up earlier in the debate in order that upon a subject so interesting all the facts could be given. The main ones, however, may be summed up briefly.

England enjoyed a monopoly of trade so long that she ceased to fear competition. She rested on her oars; she ceased to cater to the desires of the people to whom she sold as to the quality and style of the goods or how they should be shipped and all the other points of commercial advance and supremacy whereas other nations, more modern, more active, sought out what goods the people wanted and how they wanted them delivered. Thus in spite of England's advantage her more alert rivals began to undermine her trade. Does the Senator mean to say that the beginning of the decline of England's trade is due to her policy of holding dependencies?

Mr. CARMACK. No; what I mean to say is that it simply enforces the lesson that it is not necessary to have dependencies in order to increase the foreign trade of a country.

Mr. BEVERIDGE. Now, let us see about that, Mr. President. England sells to China every year \$120,000,000 worth of English products. Most of those she sells through her distributing center at Hongkong.

Mr. CARMACK. Mr. President—

Mr. BEVERIDGE. I yield to the Senator.

Mr. CARMACK. If the Senator will permit me I will state further that for a series of years Great Britain's exports to Hongkong have been steadily declining.

Mr. BEVERIDGE. Yes, and for the reason stated and many more, none of which have anything to do with the holding of dependencies. I will state to the Senator that if it had not been for the conserving influence of her dependencies, of her great distributing centers, England's trade, with her ancient methods of catering to the people, would have been abolished a decade ago because of the advance of modern methods in merchandising by her rivals.

Mr. President, it is very fashionable to say in some scholastic quarters that the way to get trade is to make goods well and sell them cheap, and that you do not need distributing posts. There is not a grocery store, there is not a merchandise establishment in any town of this country that can not tell the Senator better than that. Suppose you take the best goods made in this country and sell them at the cheapest price, and put them at some inaccessible portion of any county in this country, will their quality and their cheapness of price sell the goods?

No; but if while you are doing that another more enterprising merchant should take an inferior quality of goods at a higher price and locate them conveniently to the people and allow the people to know about them, he would sell his inferior goods and be prosperous while you would keep your superior goods and go into bankruptcy.

So this simple illustration shows that quality and price are not the only elements in the sale of goods, either by men or firms or nations. Accessibility, location, advertisement, convenience, spheres of commercial influence, are qualities quite as important and quite as immediate in their effects and results as quality and price. But those are items of practical moment which scholasticism refuses to consider; and so it is that the practical judgment of merchants and the practical instincts of merchants and mercantile nations are much better than the theories of theorists.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. BEVERIDGE. Certainly.

Mr. CARMACK. Do I understand the Senator's argument to imply that it is necessary for the United States to follow the example of England and hold possessions and territories throughout the world in order to extend its foreign trade?

Mr. BEVERIDGE. Mr. President, I am answering the argument of the Senator from Idaho. I do not want to continue long, but I will take the time to answer the question of the Senator from Tennessee.

My argument on this point is sufficiently put when I say that

the American people are at least not willing to give up the vantage point of commerce when once events and honor have thrown it into their hands.

I did not originally refer to the commercial advantages of dependencies, Mr. President. The commercial aspects of this case were brought up by the opposition. But when the opposition brings them up; when the Senator from Idaho attempts to show to the people of this country that in seeking oriental trade we are not acquiring a mine of commercial wealth, but that we are plunging into commercial disaster; when he attempts to frighten the American merchants by imaginary Chinese dragons, it becomes pertinent for me to point out the advantages that accrue to us.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. BEVERIDGE. Certainly.

Mr. CARMACK. The Senator from Indiana, I think, was one of the first men to bring up the question of the commercial advantages of colonialism in the very remarkably able speech which he made here on the floor of the Senate two or three years ago. I wanted to know whether the Senator still held to the opinion which he then seemed to hold, that this country, in order to extend its foreign trade, ought to enter upon a general colonial policy. I do not know that I understand him now; but that was his argument at that time.

Mr. BEVERIDGE. The Senator caught but one phase of the speech which he is so good as to compliment. This I will say upon that question, that whatever conduces to the commercial welfare of this country and whatever keeps the American workman employed is a subject worthy of consideration in the determination of a nation's policy. And when—

Mr. CARMACK. Mr. President—

Mr. BEVERIDGE. Pardon me; I want to get through.

Mr. CARMACK. I have no power to pardon the Senator, but still—

Mr. BEVERIDGE. Go ahead and ask the question.

Mr. CARMACK. No.

Mr. BEVERIDGE. Go on. The only point about it was I did not want to take so much time.

Mr. SPOONER. I hope the Senator from Tennessee will proceed.

Mr. BEVERIDGE. I hope he will. I only wanted to get through.

Mr. CARMACK. I should like to have the Senator answer my question.

Mr. BEVERIDGE. What is that?

Mr. CARMACK. The Senator was arguing in favor of the advantages of a general colonial policy. I asked him the question two or three times, which he has not yet answered, as to whether for the purpose of extending its foreign trade this country ought to enter and would be justified in entering upon a general colonial policy?

Mr. BEVERIDGE. Mr. President, a sufficient answer to that question is that such a proposition is not before the Senate or the American people, and when it arises we will answer it quite as frankly as we answer the policy in reference to the Philippine Islands. When it is attempted to be shown that the Philippines should be given up because they are a commercial danger, and when after stating that fallacious proposition the experience of England in India is given to support it, then it becomes pertinent for me to point out the advantages to England from holding India, Malay Straits Settlements, and all her dependencies.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Tennessee?

Mr. BEVERIDGE. Certainly.

Mr. CARMACK. The Senator has spoken of India. I am not going to enter into an argument on that subject this evening, of course. I wish simply to suggest to the Senator that India, speaking of it in a commercial point of view, with 250,000,000 people, buys from all the world just about twice as much as the 5,000,000 people in Canada. I will say, further, that it is the opinion of a number of English statesmen and students that the possession of India is a positive disadvantage to Great Britain.

Mr. BEVERIDGE. I wish the Senator would keep on the floor, because I think I will answer that by asking him a question. Would he say that because Canada consumes more than India that therefore England ought not also to embrace the market of India; that is, would he say that because a merchant had exploited one field he should not also advance to another? Is not this rather the correct inference to be drawn from the Senator's statement—Canada buys so much because the consuming capacity of her people is so great?

Mr. CARMACK. Of course.

Mr. BEVERIDGE. The consuming capacity of her people

risers with diversified industries and increased intelligence. Therefore it follows that it is a very good thing for commerce to educate the people of India and diversify their industries and increase their intelligence. Thus we see that, working along the lines of Providence or nature, or what you please to call it, commercial advantage and the highest duty travel on parallel lines.

Mr. CARMACK. The point I was making was that India, considering all the vast expense and trouble and liability which it imposes upon the British Empire, is a very poor market.

Mr. BEVERIDGE. How much expense does it impose upon England?

Mr. CARMACK. It has imposed on England a great deal.

Mr. BEVERIDGE. How much now?

Mr. CARMACK. I do not know exactly how much in the past, but it has imposed a good deal.

Mr. BEVERIDGE. Does not the Senator know India is self-supporting?

Mr. CARMACK. No; I do not know that it is self-supporting. I know that during a period of famine, which frequently occurs, it is not self-supporting.

Mr. BEVERIDGE. India pays every cent of her expenses and costs England nothing, and the same is true of the Philippines. Every dollar of the expense of civil government in the Philippines is paid exclusively out of the Philippine revenues, and civil government in the Philippines does not cost the American people a penny. Famines? Famines have occurred in India, but what bearing have famines in India on the question of expense?

Mr. CARMACK. Of course—

Mr. BEVERIDGE. Famines drain every country that has a heart of generosity; but that has nothing to do with the commercial feature we are discussing. We ourselves help every famine-stricken people. What has that to do with this commercial question and the other question of expense of India to England?

Mr. CARMACK. It has a great deal to do with India, because famine is one of its particular industries.

Mr. BEVERIDGE. That is witty, and I will not say what I was about to remark, because I think too much of the Senator.

Mr. PETTUS. Mr. President, I rise to a point of order.

The PRESIDING OFFICER. The Senator from Alabama will state his point of order.

Mr. PETTUS. I think that this discussion as carried on is contrary to the rules of the Senate and ought to be stopped.

Mr. BEVERIDGE. I am very willing for the Senator from Tennessee to interrupt me.

Mr. CARMACK. With the permission of the Senator from Indiana—

Mr. BEVERIDGE. Certainly.

Mr. CARMACK. My point was that the people of India live always upon the verge of famine and after one hundred and fifty years of British rule that is the permanent condition of the people. Even in times of plenty they earn barely enough to keep soul and body together, and a year of ordinary scarcity, which would simply mean a little enforced economy for other people, means a famine in India. Therefore it is a natural burden upon Great Britain.

I will say, furthermore, and the fact can be demonstrated, that the people of India are in no whit better condition to-day than they were the day they came under the rule of the British Empire. The wages paid to a laborer in India to-day are about 6 cents, and they never could have been much less than that. The people there live constantly upon the very verge of starvation.

Mr. BEVERIDGE. The Senator said that two times. I yielded to him to say it once, and he has repeated it twice.

Mr. President, if there is any pertinency in the Senator's remarks about famine in India it is to compare India with the Philippine Islands. Before the Senator makes his case about India being a drain on England because there is famine there he must establish the parallel proposition that there is continual famine in the Philippines, which will therefore be a drain upon us, because the Senator is drawing the parallel of India against us, and he must make the parallel complete.

Mr. CARMACK. The Senator drew the parallel of India; I did not.

Mr. BEVERIDGE. No; the Senator from Idaho and the Senator from Maine drew the parallel of India in establishing what they said was a fact, that oriental trade was not worth having.

Mr. SPOONER. Will the Senator from Indiana allow me to ask the Senator from Tennessee a question?

Mr. BEVERIDGE. Certainly.

Mr. SPOONER. Does the Senator from Tennessee suppose that we ratified the treaty and took the Philippines for the dollar?

Mr. CARMACK. Yes, sir; exactly.

Mr. SPOONER. So far as I am concerned—

Mr. CARMACK. I acquit the Senator from Wisconsin. I do not believe he did.

Mr. SPOONER. So far as I am concerned, that is a defamatory impeachment.

Mr. CARMACK. As I did not impeach the Senator, he has no right to say it is defamatory.

Mr. SPOONER. And I want to say that, so far as I know, that is not true of any member of the Senate.

Mr. CARMACK. I know what is in the RECORD. I know what Senators said.

Mr. SPOONER. Who?

Mr. CARMACK. The Senator from Montana, Mr. Carter, at that time a great leader of the Republican party.

Mr. BEVERIDGE. Mr. President—

Mr. CARMACK. And I know what the Senator from Indiana said.

Mr. BEVERIDGE. The pertinency of this discussion at this time is the point which the Senator from Idaho attempted to make, that the Philippines were an open door to China and that the Chinese foreign trade, instead of being an advantage to us, was a menace. Therefore it became necessary very briefly to show how it was an advantage. That is the pertinency of this debate, and that is its logical sequence.

Mr. SPOONER. I quite agree with my friend from Indiana that the argument is pertinent and legitimate, but for one I protest, and I think on behalf of every man almost in the Senate, against the assumption by the Senator from Tennessee that in ratifying the Paris treaty the Senate attempted to reduce the question to the standard of the dollar.

Mr. BEVERIDGE. Mr. President—

Mr. CARMACK. Will the Senator permit me a moment?

Mr. BEVERIDGE. Certainly.

Mr. CARMACK. In reply to what the Senator says about defamatory impeachment, I do not know that that is exactly parliamentary, but we are not in the habit of calling people to order on this side of the Chamber for saying unpleasant things and I do not care for it myself. I pass it by with indifference. But I say it was proclaimed upon the very floor of the Senate by distinguished Republican Senators—by Senator Carter from Montana—that the question of sentiment or religion had nothing to do with it; that it was simply a question of the dollar. I remember the language used by Senator Carter of Montana, and I could quote also to the Senator the statement recently made by the new Secretary of the Treasury, that it was selfishness as much as anything else that led us into this business.

Mr. SPOONER. That is the opinion of an individual.

Mr. BEVERIDGE. Every man will speak for himself.

Mr. CARMACK. He was a very distinguished leader of the Republican party, however.

Mr. BEVERIDGE. Mr. President, if the Senators are through—

Mr. DUBOIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Idaho?

Mr. BEVERIDGE. Certainly.

Mr. DUBOIS. I have listened to the Senator from Indiana with a great deal of pleasure, but he is utterly mistaken about my argument. He has been misquoting me constantly, and basing his argument on misquotations.

Mr. BEVERIDGE. I shall be glad to be corrected by the Senator if I have misquoted him.

Mr. DUBOIS. For instance, I said that the argument the advocates of this bill use as one reason why we should pass it is that it would be an open door to China. I did not undertake to prove that it would be an open door to China. In every other respect the Senator has utterly mistaken my argument, but I can not attempt now to go into the argument again.

Mr. BEVERIDGE. I am delighted to have the Senator set himself right in my mind, and I will say in the minds of many others. But I will ask the Senator if he did not devote one-third of his speech to showing that in respect to trade with China, instead of being a benefit to us, it would be a menace, and that the development of that country would be a misfortune to the United States; is not that correct?

Mr. DUBOIS. Absolutely.

Mr. BEVERIDGE. That is absolutely correct. Therefore I started out to show if that was true as to China it must also be true as to Germany and France and Japan, for the figures show that as those countries develop industrially our exports to them increase; and if that be true as to them the same thing must necessarily be true as to China. The Senator's argument, as now corrected by him, is that even if our contention is true, that the Philippines are a doorway to China's trade, that trade is not only not worth having, but actually dangerous.

Mr. DUBOIS. I agree with the Senator from Wisconsin [Mr. SPOONER] that there are a few things left in this world outside of the profits in dollars and cents.

Mr. BEVERIDGE. And the reason I am now speaking of the

profits in dollars and cents is because the whole argument of the Senator from Idaho was devoted to that point, to show that this experiment was not profitable, and for the reason of the expense in dollars and cents we should give up the Philippines.

Now, the Senator says that we do not want to consider the argument of dollars and cents, although his whole speech was made to show that because of the argument of profit and loss we ought to leave the Philippines. His argument was exclusively commercial. I heard no moral appeal of any sort in the Senator's address, but I heard a very careful and a very subtle argument to show that this whole business was unprofitable; and that is what I am answering now.

It is very late and there have been many interruptions, so I shall not go on with much I had noted down here; but I wish to refer to just one thing which appears to show inconsistency on the Senator's part. He spoke of syndicates taking these lands, and yet the Senator knows that in this bill it is provided that no corporation shall own more than 5,000 acres of land, and that it is within the power of the Commission absolutely to prevent them owning more. He knows that, as to private holdings, there is an absolute prohibition in the bill that any person having those holdings shall sell or lease or demise them; and yet the Senator says that this whole scheme is a scheme of exploitation by corporations and syndicates.

But the Senator refuted himself, as is often the case in over-subtle arguments, because he cited as an illustration the protest of the Philippine Development Company, was it not?

Mr. DUBOIS. Yes.

Mr. BEVERIDGE. They protest against what, Mr. President? Is it the protest that they are not going to get more land of which the Senator complains? No; it is a protest against our Government taking these vast quantities of land from this corporation to give to small private holders.

The only instance, Mr. President, that the Senator was able to show in support of this alleged danger of the great holdings of land by syndicates was an illustration of precisely the reverse; and that is that one great syndicate is now protesting that the Government is about to take away its vast holdings and distribute them amongst small holders.

Mr. DUBOIS. Why were they protesting, I will ask the Senator?

Mr. BEVERIDGE. The Senator is more familiar with their protest than I am. Will the Senator state why they are protesting?

Mr. DUBOIS. They are protesting because the Government is selling these lands, claiming that they are friars' lands, when, as a matter of fact, they claim that the land belongs to them.

Mr. BEVERIDGE. Does the Senator mean to say that the protest would not have been made if the Government had merely taken their lands and distributed them among small holders, irrespective of the friars? Would not they have protested just the same?

Mr. DUBOIS. How could the Government take lands belonging to me, for instance, over in the Philippines?

Mr. BEVERIDGE. That is not the question. The question that I desire to hold the Senator to is this: He complained because the bill was going to make this a great scheme for corporate exploitation, and the only illustration he offered was the case of a corporation that was protesting against its lands being taken from it and distributed among the people, which is a destruction by his own example of his original proposition.

Now, Mr. President, only one point more—

Mr. DUBOIS. We are just simply going round and round again. They are protesting because the Government said these lands belong to the friars, whereas they claim the Government was selling lands which belonged to this company.

Mr. BEVERIDGE. Mr. President, the Government was breaking up a great land monopoly in the islands; and yet the Senator says it is the business of this bill to create corporate monopolies, and cites in support of his criticism the protest of this land company against our taking its lands and distributing them among the people. The Senator says we go round and round, and I think that is true. The Senator goes round and round, and I am following him as rapidly as possible. That is why we are going round and round. I am trying to reply to the Senator as fast as I can.

There is just one other point to which I shall refer among the many which I had noted but shall not mention. The Senator, with a gravity which amounted to pathos—and I should like to be honored with the Senator's attention, as I honored him with mine.

Mr. DUBOIS. I am listening to the Senator.

Mr. BEVERIDGE. I say that the Senator, with a gravity that rose to the tremulous point of pathos in his voice, said we have nothing the Filipinos want; that the natives of India wanted nothing that England had, and that trade with the Orient is not only a myth, but a destructive delusion. That is what the Senator said.

Mr. President, the whole world sells to the Philippine Islands

every year, and did while Spain was there, something like \$30,000,000 worth. The Senator from Idaho said that all of that was consumed by the foreign residents. He said that everything we would sell to the Philippines would be consumed by the foreign residents. He said that exports to tropical regions were consumed by the foreigners living there. I ask the Senator from Idaho to consider the enormous consuming capacity of those few Spaniards and Englishmen there who could consume \$30,000,000 worth of imports that every year were sold to the Philippines. Does he not think, on reflection, that the Filipinos consumed some of that \$30,000,000 of imports; that the people of India consumed a little of the \$200,000,000 of England's exports to India? Does not the Senator really think that the few hundred Englishmen in the Straits Settlements could hardly use all of the \$15,000,000 of products imported there from England? The \$30,000,000 worth of exports to the Philippines when those people are educated, when their trade and commerce amounts to something more than barter, which, as the testimony shows, is all they have now, when roads traverse those islands, when plantations are joined together where it is now a wilderness, when the whole country is developed—not exploited, as you choose to name it—when there are schools in every place as there are here, the consuming capacity of that people will rise to the high average of civilized life, and the \$30,000,000 of imports which now go to the Philippine Islands will rise at least to ten times that amount.

Ought we not to have the bulk of that trade in the Philippines? We have an illustration to show that we shall have all of it. Before Hawaii came to us she bought something like \$15,000,000 worth of imports from all the world. We sold her less than one-third. She came beneath our flag, and to-day we sell her practically the whole of her importations. Suppose only one-half of that result should be true of the Philippines; suppose that education, roads, railroads, the development of the country lift the consuming capacity of that people only five times, that would be \$150,000,000 a year; and if we get only one-half of that that would be \$75,000,000 of American exports to the Philippines alone. But a little thing like that is of no consequence to the Senator from Idaho.

I am showing, Mr. President, with great brevity that it is not true that the goods imported into the Philippine Islands, into India, and into the Malay Straits Settlements are not consumed by the foreign residents among those people, but by the people themselves. Do the few thousand Englishmen who live in India consume the entire \$200,000,000 worth of English exports to that country? Do those few hundred Englishmen who live in the Malay Straits Settlements consume the entire \$15,000,000 worth of exports which England alone sells to those people? Do the few Englishmen in England's dependencies consume the hundreds of millions of dollars' worth of English exports sent to them? The Senator said so, but is it possible, does the Senator think?

I put it to the Senator again, or to any Senator, that this oriental trade is worth getting. What would happen to England's commerce, to England's manufactures, to England's industry, if the \$500,000,000 that her dependencies and the Orient purchase from her yearly was suddenly taken away from her?

I repeat again that there would be something in that country of bankruptcy, commercially and industrially, which we witnessed in this country under a recent unfortunate régime.

I do not wish to take more time of the Senate, but I want to suggest to the Senator from Idaho that the opposite of his views is held by the shrewdest merchants of the world and by the shrewdest mercantile nations of the world, and is their settled policy. The opposite of his views is held by the commercial communities of Germany, by the commercial communities of England, and by the commercial communities of every modern industrial nation.

Can it be true, Mr. President, that all of those men, and not one, but all modern and advancing commercial nations, are wrong, and that it has been left to the Senator from Idaho to discover the real truth of this matter? Can it be that the greatest commercial nation of the world, England, that the most advancing commercial nation of the world to-day, Germany, or that even France, who has had to prosecute the same policy—that all of their merchants were so unanimous in this matter that it became national—have made a profound mistake, and that Germany, England, and all successful commercial nations should abandon their mistaken ideas and now take advice upon foreign commerce from the distinguished Senator from Idaho? Yet that is the proposition which his speech must meet.

Mr. HOAR. May I ask the Senator a question?

Mr. BEVERIDGE. Certainly, gladly.

Mr. HOAR. I ask it in absolute good faith, as, of course, I do not suppose the Senator will doubt. I do not ask it with the view of making a point against his argument.

Mr. BEVERIDGE. I shall be very much honored to have the Senator ask me any question he desires.

Mr. HOAR. I ask the Senator the question simply for light on the subject, no matter how or where it cuts. The question is, Do England's dependencies furnish her more trade than is furnished by the free nations of similar populations with whom she deals?

Mr. BEVERIDGE. No, sir. I see the Senator's proposition.

Mr. HOAR. The question is whether a dependency or a free customer is better.

Mr. BEVERIDGE. I see the Senator's proposition, Mr. President, and I answered it before the Senator came into the room, for the same point was raised before. The answer is this: Because her self-governing colonies, peopled by her own people, with their vast consuming capacity, purchase more of her than her dependencies which have people of a lower consuming capacity, is no reason why she should abandon the latter market. The answer is, Mr. President, that a merchant, if he is progressive and prosperous, after he exploits one market proceeds to another and exploits that.

Mr. HOAR. But the proposition I put went a little farther and a little deeper than that; and that is whether for England the free customer is not better than the dependency. For instance, suppose England governed us to-day—

Mr. BEVERIDGE. I understand the Senator's proposition, if he will pardon me—

Mr. HOAR. Would we be a better customer for her governing us than we are governing ourselves?

Mr. BEVERIDGE. No; if the Senator will pardon me, that was hardly the former question. Here is the converse of the Senator's question, and I put it to the Senator: Did England sell more to India when England's flag did not fly over India than England sells India to-day? That is the question, Mr. President.

Mr. CARMACK. Will the Senator allow me?

Mr. BEVERIDGE. I will; but I intended to get through before this time. I will yield to the Senator, however.

Mr. CARMACK. In reply to the question put by the Senator from Massachusetts [Mr. HOAR], I believe it to be a fact, although I will not state it with absolute confidence, that England sells more of her manufactured goods to Germany and France than to all her colonies and possessions combined.

Mr. BEVERIDGE. Mr. President, the greatest per cent of England's trade is with her colonies. The Senator is not correct. But granting that the Senator were correct—

Mr. CARMACK rose.

Mr. BEVERIDGE. I am going to grant the Senator's statement for the sake of the argument. Suppose, Mr. President, that the Senator's statement were true, does the Senator draw from that the conclusion that England should therefore abandon her colonial markets and the markets of her dependencies?

Mr. CARMACK. Not at all, Mr. President.

Mr. BEVERIDGE. Then, where is the pertinency of the inquiry?

Mr. CARMACK. It is this: That England is not compelled to hold countries as dependencies in order to trade with them. She might have just as great a trade with those countries which she holds as dependencies if they were not her dependencies.

Mr. BEVERIDGE. Ah, Mr. President, there is the usual opposition "might." But what is the fact? Let the Senator not argue on the "mights" and "supposes" and "it would be's," but on what is true.

Mr. CARMACK. Then, Mr. President, I will tell the Senator what is true.

Mr. BEVERIDGE. Well, I shall be glad to be instructed by the Senator from Tennessee as to what is true at any time. It will be a novelty.

Mr. CARMACK. And that is, that the United States and Germany, which have no authority at all over England's possessions, have for many years been steadily increasing their exports to those possessions, while England's own exports to her own possessions have been steadily declining.

Mr. BEVERIDGE. Mr. President, at this late hour the Senator suggests a fact here, of which I doubt not he knows the causes, and which he knows it is impossible to intelligently go into at this late hour, just as he did a while ago about the decline of England's trade, but does the Senator not know that the reason why France, Germany, and ourselves can go into the ports of England's dependencies and compete there with her is because she opens those ports freely to us, and because of the fact that for thirty years England enjoyed a monopoly of that trade, and through overconfidence has fallen into such a state of commercial lethargy that she does not make goods that the people want any more, she does not ask them how they want them delivered, but Germany does that, France does that, and we do that, and we enter her ports with equal freedom with her, and therefore her trade has decreased and ours has increased. Those are some of the reasons.

Mr. CARMACK rose.

Mr. BEVERIDGE. If the Senator will pardon me, if he had at an earlier time in the day suggested these complex questions I should have been delighted to have gone into it. I am ready to discuss this engaging subject at any time when it is sufficiently early in the day to go exhaustively into it.

But, Mr. President, one more point, one more fallacy, which it occurs to me was the crowning fallacy and the final and ultimate sophistry of the speech of the Senator from Idaho, and I think it was the most pathetic point of the many pathetic points he made, and it was this:

He said it stands against reason that we can furnish men like Governor Taft; it stands against reason that if Taft was to die there could be another man like Taft produced. He said our Commission may be dead in thirty days; they are splendid men; who knows but they may die, and because they may die we had better give up the Philippine Islands. Why, he said, where can you produce another Taft? Why, Mr. President, no man on earth admires Governor Taft more than I. Yet there is another equally successful administrator, and not far away. Indeed he will arrive here next week. Gen. Leonard Wood, of Cuba, is another like Taft. Gen. Luke Wright is another like Taft; and, Mr. President, all over this great Republic of 80,000,000 people will be found men like Taft and Wood and Wright, the best administrators in the world. And the fact that they are American administrators is not against them.

Mr. President, we do not fail when a railroad company's president dies to find in some place a man of equal ability and equal energy to engineer that great enterprise, and yet the argument of the Senator from Idaho would cause us to dismantle every railroad in this country, because he would say, "Where can you get another president like this?" The argument of the Senator from Idaho would cause us to disestablish this Republic, because he would say, "Where can you find another President like Lincoln or McKinley, or like any other great and wise President?" Mr. President, the American people is the greatest reservoir of intelligence, power, and moral force and energy in this world, and when one man steps out of this great host of 80,000,000 of the mightiest, noblest, and best people in the world an abundance of the best administrators of the world can be found to take the vacant place and to carry on the great work of law, order, civilization, and the regeneration of our dominions wherever floats our blessed flag.

Mr. TELLER. I offer an amendment to the pending bill, which I ask to have printed.

The PRESIDING OFFICER. The amendment intended to be proposed by the Senator from Colorado will be received, printed, and ordered to lie on the table.

JAMES W. LONG.

Mr. BURROWS. I ask unanimous consent for the present consideration of the bill (S. 282) providing for the appointment of James W. Long, late a captain in the United States Army, a captain of infantry, and for placing his name on the retired list.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, in line 8, after the word "battle," to strike out "with the rank and pay of a captain of infantry, retired;" so as to make the bill read:

Be it enacted, etc., That the President be, and is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint James W. Long, late captain in the United States Army, a captain of infantry, and to thereupon place his name upon the unlimited retired list of the Army, in the class whose disabilities result from wounds received in battle.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 36 minutes p. m.) the Senate adjourned until Monday, May 26, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate May 23, 1902.

APPOINTMENTS IN THE ARMY.

ARTILLERY CORPS.

To be first lieutenants, to rank from September 23, 1901.

Frank E. Hopkins, at large, late first lieutenant, Forty-sixth Infantry, United States Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

Homer B. Grant, of Massachusetts, late first lieutenant, Twenty-sixth Infantry, United States Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

John W. C. Abbott, at large, late first lieutenant, Thirtieth Infantry, United States Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

John McBride, jr., at large, late first lieutenant, Thirtieth Infantry, United States Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

Harrison S. Kerrick, of Illinois, late captain, Thirtieth Infantry, United States Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

Frank J. Miller, at large, late first lieutenant, Forty-first Infantry, United States Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

Charles L. Lanham, at large, late first lieutenant, Forty-seventh Infantry, United States Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

John S. Johnston, of Indiana, late first lieutenant, Forty-first Infantry, United States Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

Albert U. Faulkner, at large, late first lieutenant, Twenty-seventh Infantry, United States Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

Francis W. Ralston, of Pennsylvania, late first lieutenant, Thirtieth Infantry, United States Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

Cleveland C. Lansing, of Virginia, late first lieutenant, Thirty-fourth Infantry, United States Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

Willis R. Vance, at large, late lieutenant, Fifteenth Pennsylvania Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

Harry W. McCauley, at large, late corporal, Company E, First Colorado Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

Charles M. Bunker, at large, late first sergeant Company B, Fifteenth Minnesota Volunteers (now second lieutenant, Artillery Corps, United States Army), to fill an original vacancy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 23, 1902.

SECRETARY OF LEGATION AND CONSUL-GENERAL.

Gordon Paddock, of New York, to be secretary of legation and consul-general of the United States at Seoul, Korea, from July 1, 1902.

ASSISTANT TREASURER.

Julius Jacobs, of California, to be assistant treasurer of the United States at San Francisco, Cal.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be brigadier-generals.

Col. Abram A. Harbach, First Infantry, May 16, 1902.

Col. William F. Spurgin, Fourth Infantry, May 16, 1902.

INFANTRY ARM.

Burton J. Mitchell, of Kansas, late first lieutenant, Fortieth Infantry, United States Volunteers (now second lieutenant, Twenty-second Infantry, United States Army), to be first lieutenant, February 2, 1901.

ARTILLERY CORPS.

To be first lieutenants, to rank from September 23, 1901.

Frank E. Hopkins, at large.

Homer B. Grant, of Massachusetts.

John W. C. Abbott, at large.

John McBride, jr., at large.

Harrison S. Kerrick, of Illinois.

Frank J. Miller, at large.

Charles L. Lanham, at large.

John S. Johnston, of Indiana.

Albert U. Faulkner, at large.

Francis W. Ralston, of Pennsylvania.

Cleveland C. Lansing, of Virginia.

Willis R. Vance, at large.

Harry W. McCauley, at large.

Charles M. Bunker, at large.

POSTMASTERS.

John L. Goddard, to be postmaster at Maryville, in the county of Blount and State of Tennessee.

Irwin G. Lukens, to be postmaster at North Wales, in the county of Montgomery and State of Pennsylvania.

Benjamin Jacobs, to be postmaster at Pencoyd, in the county of Montgomery and State of Pennsylvania.

John S. Buchanan, to be postmaster at Ambler, in the county of Montgomery and State of Pennsylvania.

Henry C. Connaway, to be postmaster at Berlin, in the county of Worcester and State of Maryland.

HOUSE OF REPRESENTATIVES.

FRIDAY, May 23, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. Mr. Speaker, a privileged report.

The SPEAKER. The gentleman from New York calls up a privileged report.

Mr. WADSWORTH. I offer the report of the conference committee on the Agricultural appropriation bill, which I ask to have printed in the RECORD, and I give notice that I will ask for its adoption on Monday.

The SPEAKER. The gentleman calls up the conference report on the Agricultural appropriation bill. The report and statement will be printed in the RECORD in pursuance of the rule adopted yesterday.

Mr. RICHARDSON of Tennessee. Mr. Speaker, the gentleman did not state that he had a statement to accompany the report, but I assume that there is one.

Mr. WADSWORTH. Yes; the statement accompanies it.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13895) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 21, 40, 55, and 65.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 30, 32, 33, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 57, 61, 63, 64, and 67, and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$110,000;" and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$612,730;" and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$254,000;" and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$231,860;" and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "report," insert the words: ", giving his reasons;" and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$10,000;" and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$8,000;" and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$18,000;" and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$796,000;" and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$796,000;" and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$95,000;" and the Senate agree to the same.

J. W. WADSWORTH,

E. S. HENRY,

H. D. ALLEN,

Managers on the part of the House.

REDFIELD PROCTOR,

H. C. HANSBROUGH,

WM. B. BATE,

Managers on the part of the Senate.

Statement to accompany conference report on H. R. 13895.

The increases in salaries (covered by amendments numbered 5, 7, 8, 9, 24, 32, 37, 42, and 45) agreed to by your conferees are as follows:

No. 5. The zoologist of Bureau of Animal Industry increased from \$2,250 to \$2,500.

No. 7. The Chief of the Bureau of Plant Industry increased from \$3,000 to \$4,000.

Nos. 24, 32, and 37. The chiefs of the bureaus of Forestry, of Chemistry, and of Soils each increased from \$3,000 to \$3,500.

Nos. 42 and 45. The chiefs of the divisions of Entomology and Biology increased from \$2,500 to \$2,750.

No. 8. The assistant chief of the Bureau of Plant Industry from \$2,500 to \$2,750.

No. 9. The chief clerk of the Bureau of Plant Industry from \$1,800 to \$2,000.

These increases were agreed to because your conferees believe them just and proper and not above the amounts paid for similar services by public and private institutions throughout the country. One additional cataloguer was allowed in the Library (amendment 54) at \$1,000.

The following increases in the lump-sum appropriations (covered by amendments Nos. 14, 29, 58, 60, and 66) were agreed to:

No. 14, for pathological investigations	\$10,000
No. 29, for Bureau of Forestry	9,000
No. 58, for Library	1,000
No. 60, for experiment stations	4,000
No. 66, for irrigation investigations	15,000

These increases, after further investigation and consideration, were not considered excessive, and were agreed to.

The item (amendment No. 3) for the construction of 6 buildings and the purchase of sites for same for use as Weather Bureau observatories, stricken from the bill in the House on a point of order, was reinserted by the Senate, and agreed to by your conferees.

The clause directing the Secretary of Agriculture to transfer to the Weather Bureau the Division of Statistics was amended (amendment No. 50) so as to direct the Secretary of Agriculture to report at the next session of Congress whether it is advisable to consolidate under the Weather Bureau all work of the Department of Agriculture relating to the gathering and compilation of crop reports and statistics, and if so to submit a plan for such consolidation.

All the other amendments were immaterial, being mere corrections of totals and slight typographical alterations.

The net increase in the amount carried by the bill as agreed to above the amount carried by the bill as it passed the House is \$93,920, and the increase over the appropriation for the current fiscal year is \$631,040.

STORM-WARNING STATIONS, SOUTH MANITOU ISLAND, LAKE MICHIGAN.

Mr. BISHOP. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1464) to establish storm-warning stations at South Manitou Island, Lake Michigan.

The bill was read, as follows:

Be it enacted, etc., That the sum of \$15,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of constructing, maintaining, repairing, and operating, under the direction of the Secretary of Agriculture, telegraph or telephone lines between Glenhaven, Mich., and South Manitou Island, Lake Michigan, and for the establishment, equipment, and maintenance of storm-warning stations at those points.

The SPEAKER. Is there objection?

Mr. RICHARDSON of Tennessee. Mr. Speaker, I was under the impression that this bill or a similar one was presented a few days ago. Reserving the right to object, I should be glad if the gentleman would give us some explanation about it.

Mr. BISHOP. This is the same bill that I spoke to the gentleman about the other day. It was not called up at that time.

Mr. Speaker, I move to amend the bill—

The SPEAKER. Let us have unanimous consent first.

Mr. RICHARDSON of Tennessee. I shall not object to its consideration, Mr. Speaker. It is a bill which belongs to a class that, it seems to me, the majority should take care of.

Mr. PAYNE. I should like to have an explanation of the bill.

Mr. BISHOP. I will ask the Clerk to read the report, which gives a full explanation.

The Clerk read as follows:

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 1464) to establish wind-signal display stations at South Manitou Island, Lake Michigan, make a favorable report on the same.

Several years ago wind-display signals were established on the islands of Thunder Bay, Lake Huron, by laying a cable from the mainland to the islands and thus establishing telephonic communication with the light-house. This service proved so advantageous to lake traffic that the vessel owners have petitioned to have a like service established in Lake Michigan.

South Manitou Island is a harbor of refuge for vessels going to and coming from Chicago, and in stormy weather as many as a dozen large vessels seek shelter under the lee of that island. There is now no way in which these vessels can be reported or by which they can get assistance when it may be necessary.

Moreover, South Manitou signals would be in the highest degree important for vessels that traverse Lake Michigan, since they would be the only available signals between the Straits of Mackinac and Chicago.

The demand is great, the cost (not over \$15,000) is small, and the operating expenses would be nothing, because the light-house keeper would perform the necessary work.

A petition, as follows, has been signed by hundreds of vessel owners and navigators of Detroit, Milwaukee, Chicago, Cape Vincent, N. Y.; South Haven, Mich.; Ogdensburg, N. Y.; Grand Haven, Mich., and Oswego, N. Y.:
The Congress of the United States, Washington, D. C.:

The undersigned, residents of Port Huron, Mich., and vicinity, owners, managers, and masters, representing the maritime interests of the Great Lakes, respectfully petition you for the establishment of cable service from South Manitou Harbor light-house, Lake Michigan, to the mainland at Glen Haven, by telephone connecting with the Western Union Telegraph Company at latter place, which, if established, will be of material benefit to shipping interests. South Manitou Harbor is one of the most natural on the lakes, and is about the only one between the Straits of Mackinac and Chicago which vessels, especially of the larger class, can safely enter.

The island is also a dangerous one for wrecks, which, occurring generally in stormy weather, makes it impossible to reach mainland to secure assistance, the result of which is at times very disastrous. It is also used extensively by vessels seeking shelter who are without means of communicating their whereabouts to their owners, managers, or others interested.

Vessels lay there storm bound for days at a time. In fact, in the early and latter part of the season of navigation crafts are always at anchor there. A report kept for one season showed in the neighborhood of 400 vessels making use of it. The fact, too, that a life-saving station has been located on Sleeping Bear Point, 1½ miles west of Glen Haven, and which assurance from the Department has been given will be erected the coming spring, makes the proposed line the more necessary. Glen Haven is also a station for the display of wind signals.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., December 18, 1901.

MY DEAR SENATOR: I have the honor to return herewith Senate bill 1464, to establish wind-signal display stations at South Manitou Island, Lake Michigan, and to recommend that the title of the bill be changed so as to provide for the establishing of "storm-warning stations" instead of "wind-signal stations." We have recently adopted the term "storm-warning" instead of "wind-signal."

In my opinion the establishing of storm-warning stations at South Manitou Island would prove of great value to lake marine interests, and I recommend that the sum of \$15,000 be favorably considered by your committee.

Very respectfully,

JAMES WILSON, Secretary.

Hon. WILLIAM P. FRYE,
Chairman Committee on Commerce, United States Senate.

LIFE-SAVING SERVICE,
ASSISTANT TO SUPERINTENDENT OF CONSTRUCTION,
Glen Haven, Mich., December 18, 1901.

MY DEAR BISHOP: Having in mind the project of connecting South Manitou Island with the mainland, I wish to say that it has been my lot to be employed a good share of the fall on South Manitou Island, and during such sojourn I have become somewhat familiar of the inconvenience of being isolated from the world. I have been a week at a time without being able to communicate with the mainland on account of storm. During such storms I witnessed as high as 18 vessels taking shelter at the South Manitou Harbor during one storm. Every storm there were more or less vessels seeking safety in the harbor—there to lie, watch, and wait, with no means of knowing what the conditions were outside.

Many at times would willingly give most any price for the privilege of sending the one word "safe" to friends and owners, who alike are deeply interested. And no one can estimate the additional number of vessels that would take shelter there during storms if there were some means of hearing from the outside, that now take the risk of weathering the storm, and many times meeting with disaster, rather than to take shelter and be where they could have no communication with friends and owners. This is a vital question and interests the thousands of sailors employed on the Great Lakes as well as every owner of a dollar's worth of vessel property, and every shipper who has a dollar's worth of freight to move by vessels, not mentioning the anxiety of countless numbers of friends of those whose lives are imperiled in every storm that sweeps the Great Lakes.

No one knows whose vessels or whose friends may be benefited, as all the traffic of the Great Lakes that enters Lake Michigan is compelled to pass close to the islands, and the passage between the islands and the mainland is filled with points and numerous shoals which are a continual menace to navigation in thick weather, when every now and then a careful master is brought to grief by having his vessel suddenly brought up upon some shoal or point when he supposed he was in the regular channel. This has occurred many times in the past, and will continue to occur as long as vessels continue to navigate the great waterways. And who can estimate the thousands of dollars' worth of property that now is lost which might be saved if there were some means of communicating with the mainland so wrecking outfits might be summoned at once? An hour's delay many times loses all. And as our lake carriers increase in size the danger of striking shoals increases. And, further, if the assistance of life-savers were needed two stations could be brought to the rescue at once.

In view of this array of facts no appropriation carrying the same expense would have more merit than the one for the cable from Sleeping Bear Point to South Manitou Island. The Government has just completed two life-saving stations, one located on Sleeping Bear Point, the other on South Manitou Island. They will be manned in the spring of 1902; then there will always be some one on duty at these points. Weather signals could be displayed at the islands and vessels get information that would be of essential value in time of storm. Relying on their own judgment, as masters are now compelled to do, they many times move too soon or wait too long, when they could have much more safety and much better dispatch could they be served with the information obtained from the weather bureaus.

Yours, truly,

D. C. WICKHAM.

Hon. R. P. BISHOP,
Washington, D. C.

Mr. PAYNE. I am satisfied, without any further reading.

Mr. BISHOP. Mr. Speaker, the report is an ample explanation. South Manitou Island lies some distance from the mainland. Upon this island there is a life-saving station and light-house. There is also one on the main island. The south end of this island is called the graveyard of vessels for Lake Michigan. I presume there is more traffic passes this island than almost any other point on the Great Lakes, except through Detroit River. It is of very great importance to the shipping interests. Personally my district is not interested. I only speak on behalf of the vessel owners and great shipping interests of the lakes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BISHOP. I simply want to insert one word in line 8 as an amendment. After the word "telegraph" insert the word "cable."

The Clerk read as follows:

In line 8, after the word "telegraph," insert the word "cable."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and, being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. BISHOP, a motion to reconsider the vote by which the bill was passed was laid on the table.

REDIVISION OF THE DISTRICT OF ALASKA.

Mr. SMITH of Kentucky. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill:

The Clerk read as follows:

A bill (H. R. 11599) to redivide the district of Alaska into three recording and judicial divisions.

Be it enacted, etc., That the district of Alaska be, and the same is hereby, divided into three recording and judicial divisions, as follows:

The first division shall include all that portion of said district east of the one hundred and forty-first degree of west longitude.

The second division of said district shall consist of all that territory lying west, northwest, and north of that certain line described as follows: Commencing at the mouth of the Colville River, on the north coast of the district of Alaska; thence following the Colville River south and west to a point where said river crosses the one hundred and fifty-fourth meridian line the second time; thence following the one hundred and fifty-fourth meridian line south to the west side of Tohtankella Mountain and to the Yukon River; thence in a southeasterly direction to the western side of Mount McKinley; thence in a southwesterly direction to the most northern point of Lake Clark; thence along the northwest side of Lake Clark to the sixtieth degree of north latitude; thence west along said degree of latitude to Kuskokwim Bay. This division shall also include the mainland west of said bay and all the islands north of the fifty-ninth degree of north latitude.

The third division shall consist of all that portion of the district of Alaska not included within the first or second divisions of said district as hereinbefore described.

This act shall take effect and be enforced from and after July 1, 1902.

The SPEAKER. Is there objection?

Mr. LACEY. Reserving the right to object, I would like to ask the gentleman to explain what changes this makes in the present district of Alaska. Does it make any change in the numbers?

Mr. SMITH of Kentucky. No, sir; there is no increase in the number.

Mr. LACEY. There is a No. 1, a No. 2, and a No. 3?

Mr. SMITH of Kentucky. There is a No. 1, No. 2, and No. 3 in this bill.

Mr. LACEY. Are they substantially the same?

Mr. SMITH of Kentucky. It enlarges the third district. On account of the population filling up the country, it has developed that the work in the second district has become something like two or three times like that in the third district.

Mr. LACEY. Does this transfer Nome to any other district?

Mr. SMITH of Kentucky. I think not. That is my recollection of it. There is no transfer to any other district. It leaves Nome where it now is.

Mr. LACEY. I would like to ask the gentleman a still further question. Have the committee investigated the propriety of remodeling the law in some respects, so as to take away political powers from the court, so as to relieve the court from the necessary taint that is liable to attach to any court that exercises political jurisdiction?

Mr. SMITH of Kentucky. No, sir; the committee did not investigate that question.

Mr. LACEY. I will ask the gentleman if he does not think there ought to be an amendment in this bill which will require that these recorders, which are purely political officers, shall be appointed by the governor or executive rather than by the judges, so as to relieve the judges of the political complications that have arisen there by reason of the political power given to them that does not properly and should never belong to a court.

Mr. SMITH of Kentucky. Mr. Speaker, I am not prepared to express an opinion on this subject. Generally speaking, I may say, I am not in favor of vesting political power with the judges, but this measure came to the committee with the recommendation of the Attorney-General and the whole of the judges of the district of Alaska.

Mr. LACEY. I would commend to my friend the propriety of taking out of the courts of Alaska the political powers that have given so much trouble there.

Mr. SMITH of Kentucky. I am quite sure if such a bill were introduced and referred to the Committee on the Judiciary it will take pleasure in giving it a full and fair consideration.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and, being engrossed, it was accordingly read the third time, and passed.

NATIONAL BUREAU OF CRIMINAL IDENTIFICATION.

Mr. JENKINS. Mr. Speaker, by the direction of the Committee on the Judiciary, I ask unanimous consent for the present consideration of the following bill.

The Clerk read as follows:

A bill (H. R. 10068) for the creation of a national bureau of criminal identification.

Be it enacted, etc., That there shall be established and maintained in Washington, D. C., in connection with the Department of Justice of the United States, a division to be known as the national bureau of criminal identification, where shall be collected and filed, so far as may be practicable for record and report, plates, photographs, outline pictures, descriptions, information, and measurements of all persons who have been or may be convicted and imprisoned for violating any of the military, naval, or criminal laws of the United States, including the laws in force in any of the Territories or

possessions of the United States, violations of which are punishable by the United States courts.

In said bureau shall also be collected and filed for record and report, so far as may be practicable, such plates, photographs, pictures, measurements, information, and descriptions of persons who have been or may be convicted and imprisoned for crimes committed in any State or Territory; *Provided*, That the constituted authorities of the several States and Territories, or of the municipalities thereof, shall provide the same for such purposes; *And provided*, That all such plates, photographs, outlines, measurements, information, and descriptions shall be transmitted to the director of said national bureau of criminal identification, with a duly prepared certificate from an authorized officer or officers of the law having in charge such convicted person or persons; *And provided*, That the plate, photograph, outline, measurement, information, or description of any person wanted by the United States or State authorities for violation of any military, naval, or criminal law of the United States or any State or Territory may also be filed in said bureau as aforesaid; *And provided*, That before receiving, filing, or recording any such plates, photographs, outline pictures, measurements, information, or descriptions the director of said bureau shall be furnished for record with a certificate from the executive of any such State or Territory, or the mayor, town clerk, or recorder of any municipality therein, setting forth the fact that such State, Territory, or municipality is duly authorized by law or ordinance to cooperate and exchange such plates, photographs, outline pictures, measurements, information, and descriptions of persons who have been or may be convicted and imprisoned for crimes with said national bureau of criminal identification. Said certificate shall also contain the name of the official or officials who may transmit such plates, photographs, outline pictures, measurements, information, or descriptions as duly authorized to provide the same, and to receive such in return as said national bureau of criminal identification may have to furnish.

That all such plates, photographs, outline pictures, measurements, information, or descriptions which may be received, filed, and recorded shall be placed in a systematic manner for ready consultation and comparison, and any information pertaining to the same, or any identification of person upon description furnished by any official aforesaid, through comparison with such plates, photographs, outline pictures, measurements, information, or description already filed and recorded, shall be furnished on request to any United States official duly authorized to receive the same, or to any State or municipal official, as aforesaid, who shall certify that the same is wanted in the interests of public justice and not for any private or personal use.

The several departments of the United States Government shall forward for record and file in said bureau any plates, photographs, outline pictures, descriptions, or information pertaining to any person who has or may in any way design or indicate that he or she may contemplate the violation or is known to have violated any military, naval, or criminal law of the United States or the criminal law of any State or Territory, when it shall have been determined by the principal official of any such department that the same is necessary for the prevention or detection of crime, or in the interests of the public welfare.

That there shall be a director of said bureau who shall be appointed by the Attorney-General of the United States, who, in order to better secure harmonious cooperation in the prosecution of the work herein contemplated, shall first confer with the chiefs of police composing the board of governors, as appointed by the National Association of Chiefs of Police of the United States, together with the Chief of the Secret Service and the chief inspector for the Post-Office Department, after each of whom shall have been legally qualified to participate in the privileges of said bureau as hereinbefore contemplated, and said director may be removed for cause at any time by the Attorney-General after an opportunity has been given him to be heard on written charges.

Said director shall be experienced in criminology, and have a general knowledge of professional criminals, and shall be expert in the several kinds of criminal measurements which may be in use in the United States.

He shall receive a salary of \$3,000 per annum, be furnished with 1 stenographer at \$1,200, 3 clerks, 1 of whom shall be a practical photographer, at \$1,000 per annum each, and a messenger at \$600 per annum, and shall be authorized and empowered to employ 4 skilled operators in the detection and prevention of crime, at a salary of \$1,500 each per annum, who may be assigned to any confidential work in the prevention and detection of crime, securing of information, etc., in connection with said bureau which may be necessary, and actual traveling expenses incurred shall be paid from the fund provided for the general expenses of said bureau, and all requisite furniture, stationery, and apparatus for maintaining such bureau, at a cost not to exceed \$10,000, which several sums are hereby appropriated out of any moneys in the United States Treasury not otherwise appropriated.

The amendments recommended by the committee were read, as follows:

Amend page 2, line 22, by inserting after the word "mayor" the words "town clerk, or recorder."

Amend page 4, lines 11 and 12, by striking out of said lines, after the word "who," in line 11, the following: "in order to better secure harmonious cooperation in the prosecution of the work herein contemplated."

Add at the end of the bill the following:

"The records and information in possession of said bureau shall be open to the inspection and examination of all persons engaged in scientific investigations, or in the study of criminology, under the direction of the Attorney-General."

The SPEAKER. Is there objection?

Mr. ROBINSON of Indiana. I do not desire to object, but I should like a full explanation of the operations of the bill.

Mr. FITZGERALD. I object.

The SPEAKER. Objection is made.

JOSEPH M. SIMMS.

Mr. CONRY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3360) for the promotion of First Lieut. Joseph M. Simms, Revenue-Cutter Service.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to advance Lieut. Joseph M. Simms, Revenue-Cutter Service, one grade, from first lieutenant to that of captain, on the "Permanent waiting orders" list in the Revenue-Cutter Service, for meritorious acts of public service and wounds received in the United States service as appears upon the public records of the volunteer service of the Army and Navy and of the Revenue-Cutter Service.

The amendment recommended by the committee was read:

At the end of the bill insert:

"*Provided*, That this act shall not increase the pay of said Simms above that provided for a first lieutenant on the retired list, to wit, \$1,875.

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to have some explanation of the bill.

Mr. CONRY. Mr. Speaker, the explanation is that the bill passed a short time ago providing for the Revenue-Cutter Service gave no power to the President of the United States to make the same promotion as in the naval and Army service. The gentleman from New York will understand that this carries no possible increase in salary whatever. The lieutenant is receiving \$1,890 per annum, and it is merely a reward for his services in promoting him to the rank of captain. It has the unanimous support of the Committee on Interstate and Foreign Commerce, and is believed to be due him as a recognition of the meritorious services of the gentleman during the war of 1861-1865.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. CONRY. Mr. Speaker, I have an amendment I wish to offer. The SPEAKER. Is it an amendment to the committee amendment?

Mr. CONRY. It is. The Clerk read as follows:

On page 2, line 2, in the committee amendment, strike out the word "seventy-five" and insert the word "ninety."

Mr. CONRY. That is merely to cure a clerical error. The amendment to the committee amendment was agreed to. The committee amendment as amended was agreed to. The bill was ordered to be read a third time; was read the third time and passed.

On motion of Mr. CONRY, a motion to reconsider the last vote was laid on the table.

RETIREMENT OF AN ARMY OFFICER.

Mr. HULL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 5213) providing for the selection and retirement of medical officers in the Army.

The bill was read, as follows:

Be it enacted, etc., That the President of the United States is hereby authorized to select one from such medical officers of the Army as have served forty-one years or more, nine years of which shall have been as Surgeon-General, and, by and with the advice and consent of the Senate, appoint him a major-general of the United States Army, for the purpose of placing him on the retired list.

Mr. HULL. Mr. Speaker, the House bill was reported in the same language by the Committee on Military Affairs after conference with the War Department. Very briefly, it places the Surgeon-General of the Army on the same basis as the Surgeon-General of the Navy. General Sternberg will be the beneficiary of the bill. He has served over forty years and rendered distinguished services. By an act of Congress the Surgeon of the Navy has been retired with increased rank. The medical profession all over the United States has asked the same recognition for the Surgeon-General of the Army, the War Department has recommended it, and it seems to me but an act of justice to a man who has rendered such conspicuous service during all his life to give him the same recognition that has been accorded to a like officer of a sister branch of the service.

Mr. UNDERWOOD. I will state to the gentleman from Iowa that the House a few days ago repealed as far as the House is concerned the statute by which naval officers were retired at a higher grade.

Mr. HULL. That is true; but it will not affect those already retired. I will say that in my judgment the services rendered by General Sternberg during his life, not only for the Army but for the cause of science, make this recognition a fit one for Congress, notwithstanding the House has repealed the provision put in the personnel bill. The officers largely who would receive the benefit of such a provision have received it, and that is especially true in the case of the Surgeon-General who retired last year and was succeeded by Dr. Rixey. Of course, Dr. Rixey would not come in under the provisions of the bill even if it had not been repealed. It seems to me in the interest of justice and fair dealing that this bill should pass in order that the Surgeon-General of the Army may receive the same benefit as is accorded to the Surgeon-General of the Navy.

Mr. UNDERWOOD. Did all the Democrats on the committee vote in favor of it?

Mr. HULL. I think they were all in favor of it, as far as I know; there was no yea-and-nay vote.

Mr. UNDERWOOD. Did it meet the approval of all the Democrats?

Mr. HAY. Mr. Speaker, as far as I am concerned, it meets with my approval, and, as far as I know, it met with the approval of all the Democrats that were present when the bill was up. This bill has a peculiar basis. General Sternberg has rendered peculiar services to the cause of science, notably in the case of yellow fever and discoveries of that character, and I really believe that the bill ought to pass, and I hope my friend from Alabama will not oppose it.

Mr. LACEY. Mr. Speaker, pending unanimous consent for its consideration, I would like to ask the chairman of the committee in regard to the Greenleaf bill and the Smith bill. Those are two men both of whom have had over forty years of service, and the cases are pending before the Military Committee. Both of them have the same record that Dr. Sternberg has, and they only ask to be made brigadiers. The Sternberg bill is called up to make him a major-general. I will ask if these bills have been considered and why they can not be reported and considered together?

Mr. HULL. Mr. Speaker, they do not stand on the same basis, because these gentlemen are on the retired list, and while the cases have been discussed informally, there has been grave doubt as to the advisability of invading the retired list. It opens up a much larger field—one that will give a great deal more trouble. The measure involves different questions, which are not all to be considered in the same connection.

Mr. UNDERWOOD. I wish to say to the gentleman from Iowa [Mr. HULL] that I think this is unquestionably a class of legislation that ought not to be indulged in—the singling out of particular men as favorites and promoting them above other men. As I understand from what the gentleman from Iowa has just said, there are other officers in the Army and in this corps who are now seeking this class of promotion, and if we pass this bill they will expect similar action in their cases, and if they do not get it they will feel that injustice has been done to them. I ask the gentleman to let this matter go over for the present. I would like an opportunity to look into the report further.

Mr. HULL. Then I will withdraw the report. The gentleman's request is equivalent to an objection.

Mr. UNDERWOOD. I put it in the form I did because I did not wish to imply that I intended necessarily to insist upon the objection.

The SPEAKER. Is there objection?

Mr. HULL. I withdraw the request until the gentleman from Alabama may have time to examine the report.

The SPEAKER. That is equivalent to an objection.

WATER POWER AT MUSCLE SHOALS, ALABAMA.

Mr. RICHARDSON of Alabama. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The bill (H. R. 14051) granting to N. F. Thompson and associates the right to erect a dam and construct power station at Muscle Shoals, Alabama, was read.

The SPEAKER. Is there objection?

Mr. GROSVENOR. I object.

FALSE MARKING OF FOOD PRODUCTS.

The SPEAKER laid before the House, with the amendments of the Senate, the bill (H. R. 9960) to prevent the false branding or marking of food and dairy products as to the State or Territory in which they are made or produced.

The amendments were read.

Mr. SHERMAN. I ask unanimous consent that the amendments of the Senate be nonconcurrent in and a conference with the Senate asked.

There being no objection, it was ordered accordingly; and the Speaker announced the appointment of Mr. HEPBURN, Mr. SHERMAN, and Mr. RICHARDSON of Alabama as conferees on the part of the House.

The SPEAKER. In connection with the bill just acted on the Chair desires to state that the rule adopted last evening does not apply in a case of this kind; and it would have been in order to bring up the bill by a motion. The Chair makes this statement in order to avoid any misapprehension on the subject.

ORDER OF BUSINESS.

Mr. SULLOWAY. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of business on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. CAPRON in the chair.

GEORGE F. GREGG.

The first business on the Private Calendar was the bill (H. R. 4990) granting an increase of pension to George F. Gregg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place upon the pension rolls the name of George F. Gregg, late private in Company G, Third Minnesota Volunteer Infantry, and pay him a pension of \$30 a month from and after the passage of this act in lieu of the pension he is now receiving under certificate No. 930579.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George F. Gregg, late of Company G,

Third Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY WELCH.

The next business on the Private Calendar was the bill (H. R. 5152) granting a pension to Mary Welch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Welch, widow of Richard Welch, late of Company E, Sixth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES B. MARTIN.

The next business on the Private Calendar was the bill (H. R. 8149) granting an increase of pension to James B. Martin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of James B. Martin, of Henry County, Mo., late a private in Company C, Tenth Regiment Kentucky Infantry Volunteers, and pay him a pension at the rate of \$45 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James B. Martin, late of Company C, Tenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN MURPHY.

The next business on the Private Calendar was the bill (H. R. 14146) granting an increase of pension to John Murphy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Murphy, late of Company C, First Regiment New Hampshire Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The bill as amended was ordered to be laid aside with a favorable recommendation.

ABNER H. LESTER.

The next business on the Private Calendar was the bill (H. R. 12430) granting a pension to Abner H. Lester.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abner H. Lester, late of Company I, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$12 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment without any deduction or rebate on account of any former erroneous payments of pension.

The amendments recommended by the committee were read, as follows:

In line 11 strike out the word "any."

In same line, after the word "former," insert the words "alleged overpayments or."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JULIA B. SHURTLEFF.

The next business on the Private Calendar was the bill (H. R. 13063) granting a pension to Julia B. Shurtleff.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia B. Shurtleff, widow of Edward Selfridge Shurtleff, late acting master, United States Navy, and to pay her a pension at the rate of \$20 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Selfridge" and insert in lieu thereof the letter "S."

In line 7 strike out the word "to."

In line 8, after the word "month," add the words "in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Julia B. Shurtleff."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. BOUTELL having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On May 22, 1902:

H. R. 5096. An act to place the name of Paul Crum on the muster rolls of Company B, First Regiment North Dakota Volunteer Infantry;

H. R. 4393. An act reserving from the public lands in the State of Oregon as a public park for the benefit of the people of the United States, and for the protection and preservation of the game, fish, timber, and all other natural objects therein, a tract of land herein described, etc.; and

H. R. 9037. An act to allow the commutation of and second homestead entries in certain cases.

On May 23, 1902:

H. R. 1681. An act granting a pension to Emma G. Harvey;
H. R. 3277. An act granting a pension to Frances J. Abercrombie;

H. R. 4622. An act granting a pension to Frank W. Lynn;

H. R. 4927. An act granting a pension to George Tucker;

H. R. 4993. An act granting a pension to Mary Shelton Huston;

H. R. 6434. An act granting a pension to Mary J. Fitch;

H. R. 7901. An act granting a pension to Dewitt Clinton Letts;

H. R. 8351. An act granting a pension to Matthew V. Ellis;

H. R. 9777. An act granting a pension to Helen F. Lasher;

H. R. 10496. An act granting a pension to James T. Steele;

H. R. 11181. An act granting a pension to Alice D. H. Krause;

H. R. 11787. An act granting a pension to John J. Manner;

H. R. 11894. An act granting a pension to Hannah A. Timmons;

H. R. 12552. An act granting a pension to Erwin A. Burke,

alias Burt A. Erwin;

H. R. 12788. An act granting a pension to Elizabeth McDonald;

H. R. 13093. An act granting a pension to Eliza A. Brownlow;

H. R. 1380. An act granting an increase of pension to Mary

Tate;

H. R. 1479. An act granting an increase of pension to Michael

Marnane;

H. R. 2129. An act granting an increase of pension to Warren

W. Lawrence;

H. R. 2436. An act granting an increase of pension to James W.

Roath;

H. R. 2486. An act granting an increase of pension to William

Matthews;

H. R. 3756. An act granting an increase of pension to James

C. G. Smith;

H. R. 5110. An act granting an increase of pension to William

H. Dixon;

H. R. 5183. An act granting an increase of pension to William

Holdridge;

H. R. 5190. An act granting an increase of pension to Alvin J.

Hartzell;

H. R. 5217. An act granting an increase of pension to Elizabeth

P. Sigfried;

H. R. 5254. An act granting an increase of pension to Enos G.

Budd;

H. R. 5600. An act granting an increase of pension to John G.

Sanders;

H. R. 5870. An act granting an increase of pension to Oscar W.

Lowery;

H. R. 6441. An act granting an increase of pension to William

H. Wood;

H. R. 6645. An act granting an increase of pension to Ann E.

Austin;

H. R. 7507. An act granting an increase of pension to James

M. Ashley;

H. R. 7840. An act granting an increase of pension to Oliver

Kerr;

H. R. 7982. An act granting an increase of pension to William

T. Peterson;

H. R. 8007. An act granting an increase of pension to James

W. Lewis;

H. R. 8016. An act granting an increase of pension to Hannibal

C. Saint Clair;

H. R. 8788. An act granting an increase of pension to Jacob

Weidel;

H. R. 8913. An act granting an increase of pension to Rachel

S. Lyman;

H. R. 9156. An act granting an increase of pension to Uriah

Garber.

H. R. 9656. An act granting an increase of pension to Lunsford

Y. Bailey;

H. R. 9819. An act granting an increase of pension to Robert

A. Pinn;

H. R. 10122. An act granting an increase of pension to John S. Burket;
 H. R. 10396. An act granting an increase of pension to Elvin A. Esty;
 H. R. 11051. An act granting an increase of pension to Henry E. Williams;
 H. R. 11117. An act granting an increase of pension to William T. Hamilton;
 H. R. 11325. An act granting an increase of pension to James Merrick;
 H. R. 11662. An act granting an increase of pension to Albion P. Stiles;
 H. R. 11665. An act granting an increase of pension to Cable C. Briggs;
 H. R. 11695. An act granting an increase of pension to George W. Hutton;
 H. R. 11783. An act granting an increase of pension to Charles M. Montgomery;
 H. R. 11850. An act granting an increase of pension to Susan A. Volkmar;
 H. R. 11920. An act granting an increase of pension to George W. Wertz;
 H. R. 12015. An act granting an increase of pension to Edgar T. Daniels;
 H. R. 12145. An act granting an increase of pension to Caleb W. Story;
 H. R. 12148. An act granting an increase of pension to Frederick O. Clark;
 H. R. 12239. An act granting an increase of pension to Agnes Clark;
 H. R. 12713. An act granting an increase of pension to Bernard McCormick;
 H. R. 12855. An act granting an increase of pension to Milton Brown;
 H. R. 12899. An act granting an increase of pension to William H. Rightmire;
 H. R. 13416. An act granting an increase of pension to Isabella H. Thompson; and
 H. R. 13439. An act granting an increase of pension to William Blanchard.

JOHN L. MOORE.

The committee resumed its session.

The next business on the Private Calendar was the bill (H. R. 10339) granting an increase of pension to John L. Moore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of John L. Moore, late a sergeant in Company A, Second Regiment Pennsylvania Cavalry Volunteers, and pay him a pension of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. Moore, late of Company A, Second Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. LOUD. Mr. Chairman, I do not know that I have any particular objection to the bill that is now before the committee, or to probably ninety-nine out of every hundred that is considered by the committee. There was a time when I devoted some little effort in endeavoring to call the attention of the House to a character of legislation which, to say the best, is vicious. I speak upon this claim particularly, because I picked this claim out among a dozen or fifteen others. It is no worse than many that have gone before; it is no worse than many probably that will follow after it; but I can not refrain from calling the attention of the country—not of the committee, because the committee does not care—to this particular claim, which is a sample, I believe, and a fair sample, of the pension claims which Congress is now considering.

This is a bill to give John L. Moore a pension of \$30 a month. No allegation is made that John L. Moore contracted disability in the service. Two or three other reports contain similar language to this. I quote:

Following established precedents to increase to \$30 a month the pension of those who are shown to be helpless and in destitute circumstances, your committee recommends a like increase in this case and reports the bill back with the recommendation that it pass after the same shall have been amended as follows.

Now, John L. Moore, as I said, it is not claimed was ever disabled in the service of his country. It is claimed that some twenty years ago he was injured while mining coal, and I am perfectly willing to admit that the man is totally disabled. I accept the report upon that, but when the committee say here, as they say

in other reports that I have, "following established precedent"—that is, the Committee on Invalid Pensions have established the precedent, and Congress has indorsed that precedent to give, not in all cases, but in such cases as can be brought before the Committee on Invalid Pensions, a gratuity of \$30 a month—I think it is going too far. I think that that legislation is absolutely wrong. If John L. Moore is entitled to \$30 a month because he is at present disabled, after Congress shall adopt it, then I say Congress is recreant to the duty that it owes to every soldier who is at present totally and permanently disabled, and it is a character of legislation which a self-respecting body, in my opinion, never should countenance.

Mr. MIERS of Indiana. Mr. Chairman, may I interrupt the gentleman?

Mr. LOUD. Certainly.

Mr. MIERS of Indiana. I want to suggest to the gentleman from California that there is now a favorable report by the Invalid Pensions Committee, a unanimous report, recommending the passage of a bill that obviates this class of legislation, giving all old soldiers of at least one year's service who are totally disabled by reason of paralysis, locomotor ataxia, or blindness, to the extent of requiring the constant aid of an attendant, a pension of \$30 a month. That is now pending.

Mr. LOUD. Pending where?

Mr. MIERS of Indiana. In the House.

Mr. LOUD. Been reported from the committee?

Mr. MIERS of Indiana. Been reported from the committee, yes; and it is now on the Calendar, and it is the policy of the committee to press that to final action.

Mr. LOUD. Then why is it not called up and passed?

Mr. MIERS of Indiana. The Speaker had not recognized us, and that is the only reason.

Mr. LOUD. Well, I apprehend that he never will.

Mr. MIERS of Indiana. He has promised that he will, and I have no doubt that he will early next week.

Mr. LOUD. And if he shall, I apprehend that Congress will hesitate long before it will pass any such legislation.

Mr. MIERS of Indiana. I hope not.

Mr. LOUD. Well, I know the gentleman has honest views regarding men who served in the Army from 1861 to 1865. I have watched the course of the gentleman here and I have found him always honest, earnest, and sincere. He never has failed in his duty to the old soldier as he sees it, and never to my recollection when he has been upon the floor of the House has there been a rule adopted or a motion made to make a special order that the gentleman has not arisen in his place, in order that the House may know that he is ever vigilant, and asked if this order about to be made will in any way interfere with pension day.

As one member of this House, Mr. Chairman, I never should advocate any such legislation. It is not right simply from the fact that a man has rendered service in the rank and file or shall have had a commission and shall in ten or twenty or thirty or forty or fifty years afterwards become disabled—it is not right that he should be entitled to any more consideration than the man who never entered the service, and I speak as a man who saw some service, comparable, I think, with the average soldier who performed his duty in the ranks.

I know that has been doubted. I know that my record has been examined in the War Department no less than 12 separate times. I know that the rule of the War Department will not permit the average citizen to go and endeavor to ascertain what the record of any soldier shall have been. The Committees on Pensions, however, are accorded the privilege, and I believe that is as far as it extends. They have been accorded the privilege of calling up the record of any person. Now, why, in God's name, any member of the Committee on Pensions or of the Committee on Invalid Pensions ever should desire to call up the record of E. F. LOUD I can not understand. He never has yet been an applicant for a pension before either of those committees. So it must have been with the evident intent to see if something could not be found in the record of E. F. LOUD whereby he could be attacked on the floor of this House.

Now, this is not new. It is a year or two old. I say again, as a man who rendered some little service—small, it is true, one of two million seven or eight hundred thousand—lost in that great mass of men, I speak regarding what I believe a country owes its soldiers. A man volunteers in defense of his flag, it is claimed, out of patriotic motives. He only returns to that government which protects him and his what little service he can in time of danger. If during his service he shall receive any disability that will in any manner prevent him from earning a livelihood, then the rest of the people of the country should be taxed to repay what has been taken away in defense of that country's flag. But if the man shall come out of the service as good as he went in, he has simply rendered a duty that every man owes his country and the debt is canceled.

I believe the act of 1890 was going to the very extreme of madness. I hope the act the gentleman contemplates may never receive the sanction of Congress; but perhaps it may. We have been going along step by step. We will go, perhaps, far enough so that the people of this country may ultimately rise up in their might and madness and retire to private life men who are implicated in acts of that kind, where, in my humble opinion, they should be permitted to reside for the rest of their lives. We have in our charge here the interests of seventy-five or eighty millions of people.

No nation on the face of the earth has ever rewarded as beneficently as we have those who rendered service during wars. I say again we have gone beyond the point of reason in rewarding men who did their duty to their country. When I rose here I was unaware that even the Committee on Invalid Pensions had the nerve and hardihood to attempt legislation that the gentleman from Indiana says they have reported, and a measure that is now upon the Calendar. I would like to ask the gentleman what rate per month the bill proposes?

Mr. MIERS of Indiana. Thirty dollars a month.

Mr. LOUD. That bill proposes to put upon the pension roll ultimately at \$30 a month 95 per cent of the living ex-soldiers. When the average man arrives at the age of 65 he is incompetent to earn a livelihood, wholly incompetent by reason of natural physical conditions. Many become incompetent long before that, and under your bill they will be put on the pension roll at \$30 a month, to swell a roll now larger than the amount of money spent by any nation of Europe to support its whole army and its pension roll.

I will say this to the Committee on Invalid Pensions: That if they have reported a measure of this kind they have done what was their duty, because if John Smith is entitled to \$30 a month because he is unfortunate and disabled then every man who serves his country, when he reaches that condition, is entitled to the same. Pension legislation, to my mind, has become a disgrace to this legislative body. During this session of Congress we have, on eight days, passed 1,169 pension bills, probably not exceeding twenty hours having been spent to pass 1,169 bills. Most of these cases have been examined by the Pension Bureau very carefully, by a body that we constitute, that have used deliberation with all the means at their command and have rejected them. They come to Congress.

Now, what is the routine? Let us be fair with ourselves and frank with the country. Representative Smith or Jones is entitled to so many bills. He goes to the member to whom his bills are referred, and I think I am speaking correctly of what is actually done, and says: "I wish you would report that bill." I think in ninety-nine cases out of a hundred that bill is reported, and the man himself selects the bill which shall be reported; and without desiring to criticize particularly the Committee on Invalid Pensions, let us see how it works there? A member of the Committee on Invalid Pensions introduces a bill. He refers it to himself. He orders a report made. It goes upon the Calendar. It has there in front of it or back of it 100 or 150 other bills.

The chairman of the Committee of the Whole works as if he was working for a thousand dollars a minute [laughter] and speaks as fast as he can; the Clerk begins, the perspiration showing in his face, and his actions show that he feels that "We have got this day and we must get through as many as we can," and the bill is passed; and one member of Congress and no more knows the merits or demerits of that bill.

Mr. KLEBERG. Will the gentleman allow me to ask him a question?

Mr. LOUD. Certainly.

Mr. KLEBERG. Does not the gentleman think that for that reason it is best to have some general legislation and submit a bill upon which this body can pass, and, if it has a mind to, pension soldiers of that character; that we should have some general legislation, and that that is the very reason that a bill of this kind should be reported by that committee and have an opportunity to be considered?

Mr. LOUD. I want to commend the Committee on Invalid Pensions for having the courage of their convictions.

Mr. ROBINSON of Indiana. I will say to the gentleman that it is easier for a camel to go through the eye of a needle than to get an unmeritorious bill through that committee. I have had some experience in trying to get good cases favorably reported, and know whereof I speak.

Mr. LOUD. I am not making any statement against the Committee on Invalid Pensions. But there is but one member on the floor of this House that has any conception of the merits or demerits of a claim that we pass upon here on Fridays. Now, I may be mistaken.

Mr. OVERSTREET. Will the gentleman allow me to ask him a question?

Mr. LOUD. Certainly.

Mr. OVERSTREET. Do you know of any bill reported from the Committee on Invalid Pensions to this House that has not been supported by affidavit, proof filed, and considered by that committee?

Mr. LOUD. I do not know anything about that. I know it is a physical impossibility, my friend from Indiana, for any one committee, sitting as a committee, to investigate the evidence which must be submitted in a case of this kind to pass upon eleven hundred and sixty-nine cases in less than four months.

Mr. OVERSTREET. Does not the gentleman think it is quite unfair to make a wholesale charge that nobody knows anything about the merits of these bills; and does he not think that for his charge to have any respectful consideration, either in this committee or by the country, that he ought to be prepared to cite some case out of the eleven hundred which has been passed without proof?

Mr. LOUD. Why, the case we brought up here has no proof in the world, not even an allegation that the man is entitled to a pension.

Mr. OVERSTREET. I think it is proper that the gentleman thoroughly understand that this wholesale charge ought not to go unchallenged, when he says we do not know anything about these cases. I do know something of the situation in that committee, and can say that not a single bill reported by that committee is not known to more than one.

Mr. LOUD. I did not say anything of the kind.

Mr. OVERSTREET. A bill is not reported by the committee until it has been considered by the committee and is substantiated by affidavit proof.

Mr. LOUD. I do not care anything about that. I say as a rule the bill is referred to one member of the Committee on Invalid Pensions, and as a matter of fact it is a physical impossibility for the Committee on Invalid Pensions to consider with care or an attempt at care 1,169 pension bills.

Mr. RICHARDSON of Alabama. Will the gentleman allow me to ask him a question?

Mr. LOUD. Certainly.

Mr. RICHARDSON of Alabama. I have been on the Committee on Pensions in the Fifty-sixth Congress and in this Congress, and I can say for that committee that whenever a bill is introduced and sent to that committee it is referred to a subcommittee, and all the facts are gone into and laid before the entire committee and the chairman, discussed, considered, and weighed properly before any action is taken relative to any single bill. There has not been an exception.

Mr. LOUD. That committee has not reported more than 125 cases.

Mr. RICHARDSON of Alabama. You named both committees.

Mr. LOUD. I am talking about the Committee on Invalid Pensions.

Mr. RICHARDSON of Alabama. You said Committee on Pensions, too.

Mr. LOUD. If I said Pensions, I did not so intend it. My information is that the Committee on Pensions do examine the cases that come before them with some care.

Mr. RICHARDSON of Alabama. I am obliged to you. You did say Pensions. I know it was an accident.

Mr. LOUD. If I said Pensions I am perfectly willing to withdraw so far as that committee is concerned.

Mr. LOUDENSLAGER. Did you say, "with some care?"

Mr. LOUD. I said "with some care."

Mr. LOUDENSLAGER. Only some.

Mr. LOUD. Well—

Mr. LOUDENSLAGER. I desire to suggest to the gentleman that they are examined with great care in that committee.

Mr. LOUD. Well, I do not care to discuss the technical meaning of "great" or "some."

Mr. RUCKER. May I ask the gentleman a question?

Mr. LOUD. Certainly.

Mr. RUCKER. Has the gentleman introduced any private pension bills?

Mr. LOUD. I have not.

Mr. RUCKER. I want to say to the gentleman if he had and either of these committees treated him the same as they do me, he would not get a bill reported from the committee until he had produced all the proof necessary to show the merits of the bill.

Mr. LOUD. I do not doubt that. I have not claimed that there was not proof required to be presented. Oh, I have claimed from information in my possession that the rule of the Invalid Pension Committee is to have a case referred to one member, and he is a subcommittee, and the report to the committee is formal.

Mr. LANDIS. Will the gentleman permit me an interruption?

Mr. LOUD. Yes.

Mr. LANDIS. I was going to ask the gentleman if, in his judgment, there is more than one committee in this House that gives careful consideration to all the questions that come before it?

Mr. LOUD. Yes; possibly two. [Laughter.]

Mr. LANDIS. The Committee on Post-Offices and Post-Roads is one, and which is the other?

Mr. LOUD. I was not positive about more than one. [Laughter.]

Mr. ROBINSON of Indiana. Let me suggest to the gentleman from California that the committee have rules governing the granting of pensions, and the individual member who first considers it, the subcommittee that thereafter considers it, and the Pension Committee that considers pension cases are governed by the rules, which have practically the force of law in this House, and none will be granted unless they are within those rules, these rules regulating the consideration of the cases presented.

Mr. LOUD. I admit that. But what right has the Committee on Invalid Pensions to establish a rule that they will pay \$30 a month to a man that is disabled and not the result of service?

Mr. ROBINSON of Indiana. It is rendered necessary because we have no general law to pension in cases equally meritorious, it seems to me, as those class of cases rejected by the Bureau of Pensions.

Mr. LOUD. Why did not you have a general law years ago?

Mr. ROBINSON of Indiana. I think it is ample if we have it at this time, if we can secure it and relieve Congress.

Mr. LOUD. Yes; and if you pass these bills on the Calendar your Committee on Invalid Pensions will continue to grind as long as there is water to turn the wheel.

Mr. GIBSON. I wish to state to the gentleman that his informant is very much mistaken about the practice and the rule of the Committee on Invalid Pensions.

Mr. LOUD. Well, let us see about that. How many days a week does your committee meet?

Mr. GIBSON. Twice a week.

Mr. LOUD. How long are they in session?

Mr. GIBSON. Two hours. That is, while the committee is in session. Many of us are in there a large part of the day.

Mr. LOUD. I do not doubt it at all.

Mr. GIBSON. We investigate the cases, and instead of the case being referred to 1 member it is referred to 3 members, and then it is reported to the full 15 members, who all pass upon the case.

Mr. LOUD. Now, if that is all of the gentleman's statement, at the best he states that they are in session four hours between pension days. I know it has been my experience on committees that it is seldom a quorum appears before 11 o'clock, but I suppose the Committee on Pensions are always there at 10 o'clock sharp. Well, there are eight hours in which you have reported to this House on some occasions more than 100 cases, and I say it is a physical impossibility for the committee to give any consideration whatever to at least 25 pension cases an hour.

Now, I only take the conditions as they are. It does not make any difference what anybody may have said to me, I believe that to be the policy of your committee, because it is impossible for it to give due consideration to every one of these cases. Every one of the committee knows and must know that it takes time to examine the history of one of these cases and read the testimony and understand what it is. I know that when the committees that I have the honor to be on pass a bill a day we are doing pretty well. We more frequently take one, three, four, and five days to consider a bill than we do when we pass one bill a day.

Mr. MANN. May I ask the gentleman a question?

Mr. LOUD. Yes; if you have not asked me one already.

Mr. MANN. Is it not a fact that the Post-Office Committee is required to consider the expenditure of more money and nearly as many items in preparing the Post-Office appropriation bill as the Invalid Pension Committee is in preparing all of these pension bills?

Mr. LOUD. I do not think so.

Mr. MANN. That committee decides how many clerks you have in a great many different offices, and you have to decide a great many questions upon which you do not have a full hearing, and you have to take the opinion of somebody.

Mr. LOUD. We have fifteen thousand clerks this year and the increase in the business of the Post-Office Department has been so much, and we always increase by percentage. So in carrying it on from year to year the work is not done in the detailed case.

Mr. MANN. I am not criticising the gentleman in the work of the Post-Office Committee; quite the contrary. If the gentleman supposes the Invalid Pension Committee takes up a particular pension claim and refers it to a member of the committee, and that that bill is therefore reported with a favorable recommendation, the gentleman is entirely mistaken, because I dare say that more than one-half of the bills are reported with amendments.

Mr. LOUD. There is no doubt about that; they correct things that are palpably wrong.

Mr. MANN. Well, a very large proportion are reported with the amounts decreased.

Mr. LOUD. Perhaps so; I do not know anything about that.

Mr. RUCKER. Will the gentleman let me make a statement?

Mr. LOUD. Certainly.

Mr. RUCKER. Does the gentleman from California know that the Invalid Pensions Committee and also the Pensions Committee have constantly in their employ an expert to make up the abstract of each of these cases so as to present it to the committee in a concrete and compact form?

Mr. LOUD. Yes; and I know that this very case has been through the hands of several experts, has been examined time and again by a department which costs us some million dollars a year to run, and that they have reported against the case. The expert in the room down here in the corner of this building can take up these cases and brief ten or fifteen of them a day and pass upon them. I will venture the assertion that the expert has mighty little to say as to whether a case shall be reported favorably or not.

Mr. RUCKER. That is the gentleman's opinion.

Mr. LOUD. Well, I will venture that assertion.

Mr. RUCKER. My observation has been very much the other way.

Mr. LOUD. I will venture the assertion that when he is told to make up a favorable report he makes it favorable.

Mr. RUCKER. With all respect to the gentleman from California, I want to say that I believe that remark is absolutely and totally unwarranted with reference to either of these gentlemen. I have found them to be technically accurate and very conscientious with every report that they have passed upon within my knowledge.

Mr. LOUD. Well, then, let us take the other supposition—that the expert passes upon these cases against the judgment of the committee. It must be either one way or the other.

Mr. RUCKER. He submits the facts to the committee.

Mr. CLARK. I will tell you what this expert does. He goes to the Department and hunts up evidence. I was on the old Pension Committee a few years ago, and I know they could hardly get along without such assistance as a man in this position rendered.

Mr. LOUD. I am not condemning the assistant; I think he is very valuable. I think that if we only had a few more such men we could pass more pension cases.

Mr. CLARK. You and I were both on that committee some years ago.

Mr. LOUD. Oh, no; not I.

Mr. CLARK. I mean on the old Pensions Committee.

Mr. LOUD. Oh, no; do not charge me with that. [Laughter.] I have been charged with enough things. I was on the Committee on Claims, I think, with the gentleman from Missouri [Mr. CLARK] some years ago; and that was bad enough. [Laughter.]

Mr. GIBSON. I wish to inform the gentleman from California that if our expert were told in any case that he was expected to write a favorable or an unfavorable report, he would insult the man who undertook to tell him so, even if he were a Congressman; and the Invalid Pensions Committee would sustain him.

Mr. LOUD. Now, let us take the other horn of the dilemma—that this expert runs the committee. It must be either one way or the other. Either the committee directs him to make the report or this man directs the committee how to make the report. Which way do you gentlemen choose to have it? The gentleman from Tennessee [Mr. GIBSON] says that this man would scorn to make out a report in the manner he was directed to make it.

Mr. GRAFF. Is it not possible for this expert assistant to make a report of the facts and then for the committee to make up its mind whether or not the proposed beneficiary is, on the facts, entitled to the pension?

Mr. LOUD. Well, at the end of every report, as my friend from Indiana knows, there is a recommendation written by somebody. Now, are we to suppose that this expert, if he were told to write out a certain recommendation, would not do it?

Mr. GRAFF. I know this, giving my own personal experience: I have had a number of bills submitted to this expert and he has gone over the evidence submitted. In a number of those cases I have been satisfied in my own mind that the beneficiary was entitled to a pension, and have been very anxious to have the bill favorably reported; yet this man has reported adversely time and again.

Mr. LOUD. And you had nothing to say about it?

Mr. GRAFF. No; I am not expected to have anything to say about it.

Mr. LOUD. Then the expert is the committee?

Mr. GRAFF. No; the expert reported the facts, and reported that in his judgment the evidence did not justify the committee in making a favorable report.

Mr. LOUD. Well, I want to say that I would have been

through half an hour ago if gentlemen had let me alone. They will have their own opportunity to put themselves on record.

Mr. KLEBERG. The gentleman stated a while ago his belief that the experts in these cases are instructed to make up a report that will suit the member or the committee making the request. Now, in that proposition the gentleman from California is laboring under a total mistake. The expert of course makes up the case—makes up the brief of the facts; he states the facts as they are, for nothing escapes him. That is his business, and we have a very efficient man in that position. Then he answers every question that any member or the entire committee may raise, and the committee decides whether the bill shall be reported favorably or unfavorably.

Mr. LOUD. Now, which makes up the report—the individual member or the committee?

Mr. KLEBERG. The committee makes the report.

Mr. LOUD. Which is it that examines the report of this expert—the individual member or the committee?

Mr. KLEBERG. Any individual member and the committee, too. This man is constantly in the room of the committee.

Mr. LOUD. What is the custom in that respect?

Mr. KLEBERG. Well, every member has a right to make an examination for himself and report it to the full committee or to a subcommittee.

Mr. LOUD. Are you on the Invalid Pensions Committee?

Mr. KLEBERG. Yes, sir.

Mr. LOUD. Well, I have great respect for you as a member of Congress, although I believe that good men's judgments may be warped. I think we have pursued this subject until even the best men in Congress have lost their judgment and have forgotten that there are seventy-five or eighty millions of people who must earn this money by the sweat of their faces to pay men and women a gratuity to which under the law they are not entitled.

Mr. KLEBERG. Now, I wish to reply to that. Does the gentleman call this a gratuity?

Mr. LOUD. I do.

Mr. KLEBERG. Then you must charge the entire Congress with passing these gratuities for the last twenty-five years.

Mr. LOUD. So I have.

Mr. KLEBERG. And do not charge the members of the committee with it.

Mr. LOUD. Well, the committee reports it.

Mr. KLEBERG. This is a precedent that has been established by Congress, and we are following the precedent.

Mr. LOUD. The committee starts it.

Mr. KLEBERG. And the country would condemn a man who would not stand by that precedent. [Applause.]

Mr. LOUD. Well, so far as the "gentleman from California" is concerned, he will take care of his part of the country, and the gentleman from Texas may take care of his.

Mr. KLEBERG. I am able to do it.

Mr. LOUD. And when the gentleman from Texas shall have been here as long as I have, he will probably think he has been here long enough.

Mr. KLEBERG. I think so.

Mr. LOUD. I have characterized this character of legislation in years gone by as vicious. I am of the same opinion to-day. Now, let us see. There are in my district men who have written me this year—36 up to the present time—who claim to be totally disabled, unable to earn a livelihood—disabled not as the result of their service. As a member of Congress, looking at my duty in my own way, I believe that the Government has no right to take money out of the public Treasury unwarranted by law. Now, these men are unfortunate. Men that never have been in the service are unfortunate, and they are around us everywhere. Every place you go you find cripples, you find paralytics, and men wholly unable to support themselves.

Now, should Congress go into the business of relieving every person in the United States who has been unfortunate? Oh, you say, no; but if he happened to have been in the Army for ninety days, however, he has got a claim upon the whole people, which is what I deny. I hold that he has no claim on the whole people, because he has done only his duty; and if he were in the Army for ninety days or a hundred days or for six months, he has done but a small portion of it. My God, if every person in this country must be paid in dollars and cents for doing his duty, where are you going to find the people to tax to pay for it?

Mr. RUCKER. Will the gentleman permit me?

Mr. LOUD. Certainly.

Mr. RUCKER. The gentleman speaks of a gratuity.

Mr. LOUD. Yes.

Mr. RUCKER. Now, I want to suggest to him that every dollar paid out by reason of one of these special bills is paid by reason of enactment of law.

Mr. LOUD. Yes.

Mr. RUCKER. That is law. It is not a gratuity. It is a law

passed by Congress, and is just as binding and effective as the law under which the gentleman draws his salary and I draw mine.

Mr. LOUD. Oh, yes; but my law happens to be general, however. I am not paid any more than the gentleman is paid as a member of Congress. It is a law general in its character, and there is a law general in its character which applies to men who served in the Army and received injuries who, under the law of 1890, are paid a maximum pension of \$12 a month, but to pension a man who is disabled, whether it be the result of his being in the Army or not, is vicious.

Mr. BOWIE. Will the gentleman permit an interruption?

Mr. LOUD. Yes.

Mr. BOWIE. I want to ask the gentleman a question, if he thinks the Commissioner of Pensions never makes any mistakes down yonder in examining these cases?

Mr. LOUD. I think, as a matter of fact, that the Commissioner of Pensions knows but very little of the individual pension case that goes through that office.

Mr. BOWIE. Then the man that examines the file. Do you think that he never makes mistakes?

Mr. LOUD. Certainly those men do. Man is not infallible.

Mr. BOWIE. Does the gentleman not think that Congress ought to have the jurisdiction to correct it?

Mr. LOUD. Ah, but my friend perhaps does not know anything about the history of pension claims.

Mr. BOWIE. Yes; I know a good deal about it.

Mr. LOUD. John Smith applies for a pension to-day. He is examined by a board of medical examiners. His case goes up to the office here and he is examined by wholly disinterested parties. He is rejected—

Mr. BOWIE. Yes.

Mr. LOUD. Now, one moment. Is that the end of it? No, he goes, and he goes, and he goes, and his case is not submitted to the same man. He is refused. His case has been before the office for years; it is rejected by many medical boards and examining boards and examiners, and yet he comes to Congress, and his case is submitted to one man, substantially, with only the evidence that all these men have had before who rejected his claim, and this one man says, "All these who examined his case before were wrong; I am infallible; I am right."

Mr. BOWIE. Is not that exactly what is done in every case in an appellate court, where an appeal is taken from the judgment of a lower court. The Supreme Court corrects the errors of the lower court.

Mr. LOUD. But I do not believe a legislative body is a proper appellate court.

Mr. BOWIE. Does the gentleman not think jurisdiction ought to rest somewhere to correct mistakes in the office of the Commissioner of Pensions?

Mr. LOUD. Not in a legislative body, my friend.

Mr. DINSMORE. I will ask the gentleman from California if he ever knew of a case that was rejected where the man did not come to Congress immediately?

Mr. LOUD. I would not say about that; perhaps some. I never investigated that phase of the case.

Now, Mr. Chairman, if our friends have gotten through I will now in a word close. This House, or gentlemen who have been members of this House for years, have known my position upon pensions for some years. My principal object to-day was to again enunciate what I believe to be the truth: That this legislation is debauching the nation—debauching the nation because it teaches people to look to the Government to care for them. The act of 1890 taught people to look to the Government because they had rendered some service until that sentiment has permeated substantially the body politic, and it surrounds us on every hand.

The cry that comes to us to increase salaries and to put upon the pension roll and to care for the unfortunates who have been compelled during their lifetime to labor for Uncle Sam is the result, in my humble opinion, of the adoption of this character of legislation. John Smith, in a community, comes to Congress with a bill for a pension, and he gets \$20, \$30, or \$50 a month. It excites every other man who ever was in the Army to the same action; and when there are so many men in a community who are receiving the gratuity, I say again, of this great Government it dissatisfies those who have to work from sun to sun to earn the money to pay the gratuity that these people receive.

Mr. SULLOWAY. Mr. Chairman, the gentleman from California [Mr. LOUD] attacks the Committee on Invalid Pensions and their method of doing business. I have heard him do it before. There is nothing new or original to me in what he has stated here to-day; but I feel that it ought not to go to the country unchallenged, and I want to say to him that there is not a committee connected with this House that devotes as much time, that gives as careful attention to the consideration of bills before it, in my judgment, as the Committee on Invalid Pensions.

I do not like to speak of myself, but as a matter of fact I think

there has not been a day during this session, after the committee was appointed, that I have not been in that committee room at 8 o'clock in the morning, if I was able to be outdoors, and I know that members of that committee, or the examiner connected with it, have been there at 11 and 12 and 1 and 2 o'clock the next morning examining these matters; and to have a gentleman who knows nothing about our work evidence the fact that he is absolutely ignorant on the subject by making charges such as have been made here to-day against us is certainly enough to make us feel that those charges at least should be contradicted and denied.

Mr. LOUD. If the gentleman will allow me, I do not desire to reflect on any member of the committee. I know that you are a hard working, too hard working, if it can be, body of men. I know that the gentleman from New Hampshire labors early and late in his committee. I condemn the work that comes from the committee, not the gentleman himself.

Mr. SULLOWAY. Then the gentleman condemns the fact that we consider these bills carefully.

Mr. LOUD. Oh, no.

Mr. SULLOWAY. And that they are reported after deliberate and careful consideration, and his complaint is that we are too careful, and that we accomplish too much, if I understand him.

Now, the gentleman from California asserts that only one member reports bills. Nothing could be further from the fact. The country is divided up territorially among the committee, and a bill coming from a certain section goes to a subcommittee of three members. The bill goes to that subcommittee when it comes into the committee room and is referred to them, because it comes from their territory. Those gentlemen have the examiner call up the evidence from the Pension Bureau. He is of that Bureau, and he is the most expert man in that Bureau—a man who can tell you every act that has ever passed this Congress with reference to pensions; a man who can tell you every ruling that any Commissioner ever made or that any Secretary ever made; a man who in my experience with him has never erred or made a mistake. That man goes over the evidence that comes from the Pension Bureau. He briefs any additional evidence that is filed, and without any recommendation or suggestion makes a plain, straightforward statement of the facts as they appear.

Then the subcommittee, if they think there is merit in it, recommend that bill to the full committee, and it does not take a great while to read the statement of facts, in which we have learned to place such confidence. Usually that statement does not make more than a couple of pages. It may be one page or it may be three. That is the manner by which we do business in our committee.

The gentleman says that when a beneficiary here has been turned down time and again by the examining board, he comes here and says to a member of Congress, "I want you to get me a pension by a subcommittee acting," and that that is all that is necessary to be done. I challenge him or any man living to point to a case where, if a man had a pensionable status, there has not been a recommendation by one, two, three, or four examining boards in favor of the pension. Yet they were turned down at the Bureau by the late Commissioner of Pensions. Those are the cases that we consider, those are the cases that we recommend when the evidence satisfies us that we ought to.

The gentleman alludes to a bill that has been referred to here. I do not propose to discuss general legislation. He says that that bill would let in 90 per cent of all the soldiers; that 90 per cent of them will soon be pensioned at \$30 a month. I want to say here and now that there is not a day that this Congress is in session when so little money is appropriated or ordered to be expended as on the days when you are working on these private pension bills. The appropriations made on those days are the smallest and most economical of all.

Mr. RUCKER. I want to say this: The small appropriations paid on these bills that we pass on Fridays carry more sunshine into the homes of more people and produce more joy than any other appropriations made by Congress. [Applause.]

Mr. SULLOWAY. I believe that, or I would not put in so many hours at work on these bills. The gentleman has attacked this bill, and I am not going to take time to defend it at length. What are the facts? Here was a soldier for three years. For three years he gave service to his country, as did the gentleman from California. He differed from the gentleman from California, and his condition differs from the condition of the gentleman from California, who is receiving \$5,000 a year as salary and mileage across the country. If he did so he might not be a claimant here to-day. I do not know him. He is a stranger to me. He gave his service to his country, and is a pensioner at \$12 a month under the act of 1890, which act the gentleman from California denounces as vicious. The evidence shows that he is totally unable to labor; not only that, but that he is unable to move about, as the report shows. He has no property whatever. He

is a total wreck. He is transported in an armchair. I am one of those who believe that those men who preserved and perpetuated this Government ought not to be paupers.

Mr. GIBSON. He is totally paralyzed from the waist down.

Mr. SULLOWAY. Certainly, the report shows that. I do not regard the pension as a gratuity. I regard its payment as a matter of duty. The veterans are the wards of the nation, and this nation ought to care for them. They should never cross the threshold of the almshouse, nor should they ever be obliged to ask any town, city, or neighborhood to contribute to their support. This is a meritorious bill; it is like those we have passed for years; and I do trust the gentleman from California will be the only gentleman on the floor who will vote against it.

Mr. MIERS of Indiana. Mr. Chairman, I do not desire to defend the Invalid Pensions Committee. I believe it needs none. I do not desire to discuss general legislation, but I propose to do so in the committee and on the floor when it comes upon its passage. I simply want to call the attention of the House for two minutes to this particular bill, as I do not wish to take the time of the House.

This old soldier served from May 31, 1862, to June 4, 1865. The last medical examination, made on January 28, 1891, found him to be suffering from paralysis of the lower extremities, with nearly complete ankylosis of all joints on the lower extremities from want of use, and that he uses a chair or the walls as a means of locomotion, with legs extended at full length in front of him. His physician, Dr. Augustus F. Culley, of Brazil, Ind., who attended him nearly all the time, states that his lower extremities are paralyzed from the effect of an injury of the spine, rendering him wholly helpless, and that he has no property from which to derive any income whatever.

Mr. GROSVENOR. Will the gentleman allow me to ask him a question?

Mr. MIERS of Indiana. Certainly.

Mr. GROSVENOR. What is the rate of pension that is allowed in the Pension Office?

Mr. MIERS of Indiana. Twelve dollars.

Mr. GROSVENOR. What reason is assigned in the Pension Office for not allowing him more?

Mr. MIERS of Indiana. Because he was unable to prove that his present disability is of service origin, and he is allowed \$12, the full limit under the act of June 29, 1890.

Mr. LOUD. He has never claimed that his injury was due to service origin.

Mr. MIERS of Indiana. He never claimed it.

Mr. GROSVENOR. He has never presented any proof that it was of service origin.

Mr. MIERS of Indiana. He has never claimed that his present disability is attributable to service origin. He simply presents the case that he has been in his present condition for fifteen or twenty years. Here is an old soldier who served his country from 1862 to 1865. He is now totally helpless and can not move about. One of two things has to be done. He has either to be taken over the hill to the poorhouse, or else Congress has to recognize the right and give him \$30, as we have been doing this entire session and last, to my certain knowledge.

For one, I am not willing to see any old soldier who served his country for three years, who is totally helpless, is entirely blind, who has to have some one to feed and move him about, turned down or put off by a meager pension of \$12. I believe the American people demand, not simply of the Pension Bureau, but if it is not done there, it demands that this House shall give him a small pittance, not as a gratuity, but as one of the highest duties that comes to it. My motto is fair treatment to the old soldier, and one who gave his country's cause three years of his life shall now be kept out of the poorhouse. I want to say that not only in this case, but in every other like it, as long as I remain on the Committee on Invalid Pensions, I shall not only vote for it in the committee, but I will do it on the floor of the House. I believe this to be a very meritorious bill. [Loud applause.]

Mr. SULZER. Mr. Chairman, it is not my purpose at this time to occupy the attention of the committee for more than a few moments. My sense of duty compels me to rise in my place in this House now to enter my protest against the wanton attack the gentleman from California [Mr. LOUD] has made on the old soldiers of the Union—the men who saved the Union. I deprecate that attack. It comes with bad grace from the gentleman from California, and is most unfortunate.

In my opinion the soldiers who saved the Union and who are now destitute and in poverty ought to be cared for by a grateful Government.

The Republic owes its life to the soldiers of the civil war. These brave and patriotic men went to the front and sacrificed their lives; they went to the front amid the rain of shell and became maimed, wounded, and diseased in defense of their country, and in their old age, during their last days on earth, when they

have no friends to care for them, no relatives to support them, when it is simply a question of their going to the poorhouse and the potter's field, it seems to me that every patriotic representative of the people in this House ought to stand by the old soldiers of the Union and vote to make the Government suitably provide for them.

Let me say, sir, that I am now, always have been, and always hope to be a friend of the soldier, of the soldier who carried our flag to victory, of the soldier who saved the Union and fought for its preservation in the darkest hour of its trial. I would be false to myself, false to every principle I hold dear, false to every sentiment of my heart, if I did not rise in my place and enter my emphatic protest against the slander uttered by the gentleman from California against the brave men who have fought our country's battles in every war. [Applause.]

Mr. ROBINSON of Indiana. Mr. Chairman, upon an occasion of the Printing Committee asking for the passage of a resolution authorizing the printing of extra reports of the Commissioner of Pensions on the 7th day of March, 1902, an objection was made by reason of the fact that it contained pictures that were inappropriate to be printed. I merely rise now to place against the distinguished member of the Appropriation Committee [Mr. LOUD], for whose services and ability we have the highest respect, the statements then uttered by the distinguished chairman of that committee [Mr. CANNON], upon the subject which shows the necessity for Congressional action in many of these cases and the reason why it is needed. Mr. CANNON said:

I was going to inquire if there is anything in the illustrations that shows the medical board of the Pension Office as it is engaged in the daily performance of its duties casting every possible doubt against the applicant for a pension. If there is any illustration of that kind it ought not to be omitted.

WILLIAM M'DANIEL.

The next business was the bill (H. R. 8573) granting a pension to William McDaniel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William McDaniel, late of Greene County (Mo.) Home Guards, Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "Of William McDaniel, late of Captain Alred's company, Greene County, Mo., Home Guards, and pay him a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES OLSON.

The next business was the bill (H. R. 12305) granting an increase of pension to Charles Olson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Olson, late of Company K, Fifteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$32 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty-two" and insert the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FANNIE REARDON.

The next business was the bill (H. R. 14012) granting a pension to Fannie Reardon, widow of Patrick Reardon, alias Dunn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Fannie Reardon, widow of Patrick Reardon, alias Dunn, late of Company B, Second New York Cavalry, and pay her a pension at the rate of \$30 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Dunn," insert the word "Patrick."

In line 7, after the word "York," insert the words "Provisional Volunteer."

In same line, before the word "New York," insert "Regiment."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "eight."

Amend the title so as to read: "A bill granting a pension to Fannie Reardon."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALEXANDER MURDOCK.

The next business was the bill (H. R. 14208) granting an increase of pension to Alexander Murdock.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander Murdock, late of Company B, First Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN S. UPSHAW.

The next business was the bill (H. R. 8576) granting a pension to John S. Upshaw.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Upshaw, late captain of independent cavalry company, Douglas County, Mo., Home Guards, in the war of secession, 1861, and also late private in Captain Jay's company, Missouri Volunteers, Osage Indian war of 1837, and pay him a pension at the rate of \$50 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Upshaw, late captain Independent Cavalry Company, Douglas County, Mo., Home Guards, and pay him a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN T. MULL.

The next business was the bill (H. R. 12968) granting an increase of pension to John T. Mull.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John T. Mull, late of Company H, Fourteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROBERT HARGREAVE.

The next business was the bill (H. R. 13594) granting an increase of pension to Robert Hargreave.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Hargreave, late of Company H, First Regiment Pennsylvania Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Hargreave" and insert in lieu thereof the word "Hargreaves."

In same line strike out the words "of Company H" and insert in lieu thereof the words "principal musician."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to Robert Hargreaves."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET ANN WEST.

The next business on the Private Calendar was the bill (H. R. 13944) granting a pension to Margaret Ann West, a nurse of United States Volunteers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Ann West, a nurse in the United States Volunteers, and pay her a pension of \$12 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6 and 7, and insert in lieu thereof the following: "Margaret Ann West, late nurse, Medical Department, United States Volunteers, and pay her a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to Margaret Ann West."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENJAMIN ZANE.

The next business on the Private Calendar was the bill (H. R. 2477) granting an increase of pension to Benjamin Zane.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin Zane, late of Company B, Ninety-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "seventeen."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AMELIA ENGEL.

The next business on the Private Calendar was the bill (S. 2551) granting a pension to Amelia Engel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amelia Engel, widow of Valentine Engel, late of Company G, Seventy-fifth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM HARRINGTON.

The next business on the Private Calendar was the bill (S. 4706) granting an increase of pension to William Harrington.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Harrington, late of Company I, Ninth Regiment Pennsylvania Reserves Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES H. HAZZARD.

The next business on the Private Calendar was the bill (S. 4732) granting an increase of pension to Charles H. Hazzard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles H. Hazzard, late of Company G, Forty-eighth Regiment Pennsylvania Volunteer Infantry, and paymaster's clerk, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EMMA L. KIMBLE.

The next bill on the Private Calendar was the bill (S. 3998) granting an increase of pension to Emma L. Kimble.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma L. Kimble, widow of Thomas V. Kimble, late of Company F, Third Regiment Indiana Volunteer Infantry, war with Mexico, and major Thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HELEN M. WORTHEN.

The next business on the Private Calendar was the bill (S. 4871) granting an increase of pension to Helen M. Worthen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen M. Worthen, widow of Harry N. Worthen, late lieutenant-colonel Fourth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN W. SMOOT.

The next business on the Private Calendar was the bill (S. 4983) granting a pension to John W. Smoot.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Smoot, late of Company A, Washington Light Infantry, Fourth Battalion District of Columbia Volunteers, and pay him a pension at the rate of \$12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

OLIVER K. WYMAN.

The next business on the Private Calendar was the bill (S. 4655) granting an increase of pension to Oliver K. Wyman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Oliver K. Wyman, late of First Battery, Vermont Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES WELCH.

The next business on the Private Calendar was the bill (S. 4862) granting an increase of pension to James Welch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Welch, late of Company G, Fourth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

NANCY J. McARTHUR.

The next business on the Private Calendar was the bill (H. R. 14221) granting an increase of pension to Nancy J. McArthur.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy J. McArthur, widow of James R. McArthur, late captain Company A, Fourteenth Regiment Indiana Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving, the same to date from the death of her late husband, which occurred on the 17th day of December, 1899.

Mr. KLEBERG. Mr. Chairman, I offer the following amendments, which I will ask to have read.

The Clerk read as follows:

Amend by striking out, in line 13, the word "twelve" and inserting in lieu thereof the word "twenty."

Amend also by adding the word "captain" before the word "of," in line 12.

Mr. KLEBERG. I would state, Mr. Chairman, that I have consulted the members of the committee in regard to the amendments, and they are practically committee amendments. I hope they will be adopted.

The amendments were agreed to.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 7, 8, 9, 10, and 11 and insert in lieu thereof the following: "of Company A, Fourteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AUGUSTUS BLOUNT.

The next business on the Private Calendar was the bill (H. R. 11339) granting a pension to Augustus Blount.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Augustus Blount, father of Alfred Blount, late of Company C, Thirty-fifth Regiment United States Colored Troops, and pay him a pension at the rate of \$12 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6, before the word "father," insert the word "dependent."

In line 7 strike out the word "Troops" and insert in lieu thereof the words "Volunteer Infantry."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CATHARINE FREEMAN.

The next business on the Private Calendar was the bill (H. R. 11453) granting a pension to Catharine Freeman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catharine Freeman, dependent mother of Daniel W. Freeman, late of Company H, Ninth Regiment Pennsylvania Volunteers; Company B, One hundred and twenty-ninth Regiment Pennsylvania Volunteers, and Company G, Forty-eighth Regiment Pennsylvania Volunteers, and pay her a pension at the rate of \$25 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all of lines 6, 7, 8, 9, 10, and 11, and insert in lieu thereof the following: "of Catharine Freeman, dependent mother of Daniel W. Freeman, late of Company E, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN A. ROBERTSON.

The next business on the Private Calendar was the bill (H. R. 11865) granting an increase of pension to John A. Robertson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of John A. Robertson, late of Company G, Twenty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WALLACE K. MAY.

The next business on the Private Calendar was the bill (H. R. 12424) granting an increase of pension to Wallace K. May.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Wallace K. May, late of Company K, Twenty-fifth Regiment of New York Volunteer Infantry, and pay him a pension of \$40 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Wallace K. May, late of Company A, Twenty-fifth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BAILEY O. BOWDEN.

The next business on the Private Calendar was the bill (H. R. 12632) granting an increase of pension to Bailey O. Bowden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Bailey O. Bowden, of Livingston, Tenn., lieutenant in Company A, One hundred and twenty-second Illinois Infantry, in the war between the States, and to pay him a pension at the rate of \$25 per month in lieu of the one he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bailey O. Bowden, late of Company A, One hundred and twenty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE FUSSELMAN.

The next business on the Private Calendar was the bill (H. R. 14052) granting an increase of pension to George Fusselman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Fusselman, late private, Company E, One hundred and twenty-sixth Regiment, New York Volunteer Infantry, and pay him a pension at the rate of \$72 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Fusselman, late of Company E, One hundred and twenty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH J. EMERY.

The next business on the Private Calendar was the bill (H. R. 13227) granting a pension to Elizabeth J. Emery.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Elizabeth J. Emery, widow of Merrell D. Emery, late of Company M, Third Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of \$24 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Elizabeth J. Emery, widow of Merrell D. Emery, late of Company M, Third Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Elizabeth J. Emery."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. CAMPBELL.

The next business on the Private Calendar was the bill (H. R. 3768) granting an increase of pension to John W. Campbell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Campbell, late regimental quartermaster Seventh Kentucky Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "seventeen."

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Campbell, late regimental quartermaster Seventh Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HIRAM S. LEFFINGWELL.

The next business on the Private Calendar was the bill (H. R. 5205) granting an increase of pension to Hiram S. Leffingwell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hiram S. Leffingwell, late surgeon, Sixty-fifth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ESEK B. CHANDLER.

The next business on the Private Calendar was the bill (H. R. 6991) granting an increase of pension to Esek B. Chandler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the interior be, and he hereby is, authorized and directed to place on the pension roll the name of Esek B. Chandler, late of Company F, Fifty-second Illinois Infantry Volunteers, at the rate of \$72 per month, said pension to be in lieu of the one he now receives.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Esek B. Chandler, late principal musician, Fifty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS M. OWENS.

The next business on the Private Calendar was the bill (H. R. 8146) granting increase of pension to Thomas M. Owens.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas M. Owens, late private in Company G of the Forty-fifth Regiment of Ohio Infantry Volunteers, and pay him a pension at the rate of \$50 per month in lieu of the pension which he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas M. Owens, late of Company G, Forty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES M. TRAVIS.

The next business on the Private Calendar was the bill (H. R. 5446) granting a pension to James M. Travis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of James M.

Travis, late of Company D, Seventy-ninth Illinois Volunteer Infantry, and pay him a pension of \$15 per month from the date of the passage of this act.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James M. Travis, late of Company D, Seventy-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to James M. Travis."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH J. EAGON.

The next business on the Private Calendar was the bill (H. R. 9710) granting an increase of pension to Elizabeth J. Eagon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth J. Eagon, widow of Lafayette A. Eagon, late of Company N, Sixth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the words "twenty-five."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES E. DICKEY.

The next business on the Private Calendar was the bill (H. R. 3770) granting a pension to J. E. Dickey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of J. E. Dickey, who served in Capt. Joe McClintock's company of Kentucky Home Guards, and pay him a pension at the rate of \$25 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. Dickey, late of Captain McClintock's company, Kentucky Home Guards, and pay him a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to James E. Dickey."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PIERSON L. SHICK.

The next business on the Private Calendar was the bill (H. R. 8780) granting an increase of pension to Pierson L. Shick.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Pierson L. Shick, late of Company G, One hundred and ninety-second Pennsylvania Volunteers, and pay him a pension at the rate of \$50 per month in lieu of that which he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Pennsylvania," insert the word "Regiment." In same line strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

In same line strike out the word "which."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE BAKER.

The next business on the Private Calendar was the bill (H. R. 12009) granting an increase of pension to George Baker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Baker, late of Company K, Twenty-third New York Infantry, and pay him a pension of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Twenty-third," insert the word "Regiment."

In line 7, before the word "Infantry," insert the word "Volunteer."

In same line, after the word "pension," insert the words "at the rate."

In same line strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM LOWE.

The next business on the Private Calendar was the bill (H. R. 12019) granting an increase of pension to William Lowe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of William Lowe, late of Company L, Twelfth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$— per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Lowe, late of Company L, Twelfth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LIZZIE DUNLAP.

The next business on the Private Calendar was the bill (H. R. 14087) granting a pension to Lizzie Dunlap.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Lizzie Dunlap, daughter of James W. Dunlap, late a soldier of Company B, Two hundred and fourteenth Regiment Pennsylvania Volunteers, on the pension roll and to issue her a pension at the rate of \$12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lizzie Dunlap, helpless and dependent daughter of James W. Dunlap, late of Company B, Two hundred and fourteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FANNIE S. CROSS.

The next business on the Private Calendar was the bill (H. R. 14144) granting an increase of pension to Fannie S. Cross.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Fannie S. Cross, widow of William Cross, colonel Third Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, before the word "colonel," insert the word "late."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JENNIE M. HARRIS.

The next business on the Private Calendar was the bill (H. R. 10174) granting a pension to Jennie M. Harris.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jennie M. Harris, widow of the late John E. Sawyer, private, Company H, Second Colorado Cavalry, and grant her a pension at the rate of \$12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Jennie M. Sawyer, former widow of John E. Sawyer, late of Company H, Second Regiment Colorado Volunteer Cavalry, and pay her a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ARTHUR L. CURRIE.

The next business on the Private Calendar was the bill (H. R. 11250) granting an increase of pension to Arthur L. Currie.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Arthur L. Currie, late of Company F, Eighty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Arthur L. Currie, late of Company F, Eighty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$17 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENJAMIN RUSSELL.

The next business on the Private Calendar was the bill (S. 1797) granting an increase of pension to Benjamin Russell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin Russell, late of Company E, Fifth Regiment Rhode Island Volunteer Artillery, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JESSE H. HUBBARD.

The next business on the Private Calendar was the bill (S. 3888) granting an increase of pension to Jesse H. Hubbard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse H. Hubbard, late second lieutenant Company H, Eleventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JONATHAN O. THOMPSON.

The next business on the Private Calendar was the bill (S. 5371) granting an increase of pension to Jonathan O. Thompson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jonathan O. Thompson, late of Company G, First Regiment Alabama Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM H. HUDSON.

The next business on the Private Calendar was the bill (H. R. 5038) granting an increase of pension to William H. Hudson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Hudson, late captain of Company H, Third Regiment Kentucky Volunteer Infantry, war of the rebellion, and pay him a pension of \$50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Hudson, late captain Company H, Third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES O. BALDWIN.

The next business on the Private Calendar was the bill (S. 2168) granting an increase of pension to Charles O. Baldwin.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles O. Baldwin, late second lieutenant Company E, Fourteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving, to be paid to his legally constituted guardian.

The bill was ordered to be laid aside with a favorable recommendation.

CAPT. STEPHEN B. TODD.

The next business on the Private Calendar was the bill (H. R. 13946) granting an increase of pension to Capt. Stephen B. Todd.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Capt. Stephen B. Todd, late of Company D, Eighth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6, before the word "Stephen," strike out the word "captain." In same line, before the word "Company," strike out the word "of" and insert in lieu thereof the word "captain."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

Amend the title so as to read: "A bill granting an increase of pension to Stephen B. Todd."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SAMUEL BROWN.

The next business on the Private Calendar was the bill (H. R. 14055) granting an increase of pension to Samuel Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel Brown, late of Company B, One hundred and fifty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SARAH F. BALDWIN.

The next business on the Private Calendar was the bill (S. 2697) granting an increase of pension to Sarah F. Baldwin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah F. Baldwin, widow of William O. Baldwin, late surgeon Second Regiment District of Columbia Volunteer Infantry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS GRAHAM.

The next business on the Private Calendar was the bill (H. R. 7760) granting a pension to Thomas Graham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Graham, late of Company F, Seventy-eighth Regiment Pennsylvania Volunteers, and pay him a pension at the rate of \$25 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "seventeen."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Thomas Graham."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. WHITE.

The next business on the Private Calendar was the bill (H. R. 13675) granting an increase of pension to George W. White.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. White, late of Company D, Fourth Regiment Arkansas Cavalry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7, before the word "Cavalry," insert the word "Volunteer."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

VESTA A. BROWN.

The next business was the bill (S. 4415) granting an increase of pension to Vesta A. Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Vesta A. Brown, widow of William A. Brown, late of Company F, Seventeenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM P. SCHOTT.

The next business was the bill (H. R. 5866) granting an increase of pension to William P. Schott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William P. Schott, alias Jacob Schott, late of Company F, Fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Schott," insert the words "alias Jacob Schott."
In line 7 strike out the word "Infantry" and insert in lieu thereof the word "Cavalry."

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to William P. Schott, alias Jacob Schott."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY L. DOANE.

The next business was the bill (S. 4758) granting an increase of pension to Mary L. Doane.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary L. Doane, widow of Gustavus C. Doane, late captain, Second Regiment United States Cavalry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES G. HOWARD.

The next business was the bill (H. R. 13613) granting an increase of pension to Charles G. Howard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles G. Howard, late of Company A, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the words "first lieutenant."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DANIEL A. HALL, ALIAS WILLIAM KNAPP.

The next business was the bill (S. 4729) granting an increase of pension to Daniel A. Hall, alias William Knapp.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel A. Hall, alias William Knapp, late of Company H, Twentieth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DENNIS COSIER.

The next business was the bill (H. R. 13999) granting a pension to Dennis Cosier.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dennis Cosier, of Union City, Mich., late of Company K, First Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "of Union City, Mich."
In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Dennis Cosier."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NIMROD HEADINGTON.

The next business on the Private Calendar was the bill (S. 4829) granting an increase of pension to Nimrod Headington.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nimrod Headington,

late major, Thirty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

AMOS MOULTON.

The next business was the bill (S. 4853) granting an increase of pension to Amos Moulton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amos Moulton, late of Company L, First Regiment Maine Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELIPHLET NOYES.

The next business was the bill (S. 4712) granting an increase of pension to Eliphlet Noyes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliphlet Noyes, late of Company G, Thirtieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ERI W. PINKHAM.

The next business was the bill (S. 5153) granting an increase of pension to Eri W. Pinkham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eri W. Pinkham, late of Company E, First Regiment New Hampshire Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM PHILLIPS.

The next business was the bill (S. 2511) granting an increase of pension to William Phillips.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Phillips, late of Company G, Thirty-eighth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GUSTAVUS C. PRATT.

The next business was the bill (S. 1038) granting an increase of pension to Gustavus C. Pratt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gustavus C. Pratt, late captain Company D, Seventeenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. WARNOCK having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills and joint resolutions of the following titles; in which the concurrence of the House of Representatives was requested:

S. R. 105. Joint resolution supplementing and modifying certain provisions of the Indian appropriation act for the year ending June 30, 1903;

S. 641. An act to establish an assay office at Portland, Oreg.; and
S. R. 103. Joint resolution providing for the binding and distribution of public documents held in the custody of the Superintendent of Documents, unbound, upon orders of Senators, Representatives, Delegates, and officers of Congress, when such documents are not called for within two years after printing.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FAIRBANKS, Mr. WARREN, and Mr. RAWLINS as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 9544) granting an increase of pension to George W. Barry, disagreed to by the House of Representatives, had agreed to the conference asked by the House on

the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. SCOTT, and Mr. PATTERSON as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 8840) granting an increase of pension to John H. Launchly, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DEBOE, Mr. SCOTT, and Mr. GIBSON as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 4103) granting a pension to William C. Hickox, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. GALLINGER, Mr. PRITCHARD, and Mr. TURNER as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1172) granting an increase of pension to Catharine F. Edmunds.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills and joint resolution of the following titles:

S. 3908. An act granting homesteaders on the abandoned Fort Bridger, Fort Sanders, and Fort Laramie military reservations, in Wyoming, the right to purchase one quarter section of public land on said reservations as pasture or grazing land;

S. 2782. An act to authorize the construction of a bridge across the Columbia River by the Washington and Oregon Railway Company; and

S. R. 46. Joint resolution to provide for the printing of 6,000 copies of the consolidated reports of the Gettysburg National Park Commission, 1893 to 1901, inclusive.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 13395. An act granting a pension to Arthur J. Bushnell.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 9960) to prevent a false branding or marking of food and dairy products as to the State or Territory in which they are made or produced, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. McLaurin of South Carolina, and Mr. HARRIS as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 10545) granting an increase of pension to Solomon P. Brockway, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SIMON, and Mr. TALIAFERRO, as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 8794) granting an increase of pension to Henry I. Smith, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FOSTER of Washington, Mr. BURTON, and Mr. CARMACK as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 14589. An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902.

HORACE L. RICHARDSON.

The committee resumed its session.

The next business on the Private Calendar was the bill (S. 5106) granting an increase of pension to Horace L. Richardson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horace L. Richardson, late of Company C, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

STEPHEN A. SEAVEY.

The next business on the Private Calendar was the bill (S. 4790) granting a pension to Stephen A. Seavey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Stephen A. Seavey, late of Company C, Twelfth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$12 per month, the same to be paid to him without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE W. YOUNGS.

The next business on the Private Calendar was the bill (S. 4730) granting an increase of pension to George W. Youngs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Youngs, late of Company D, Sixth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ISAAC GIBSON.

The next business on the Private Calendar was the bill (H. R. 11711) granting an increase of pension to Isaac Gibson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac Gibson, late major Second Battalion, Sixth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES F. WRIGHT.

The next business on the Private Calendar was the bill (H. R. 13684) granting an increase of pension to Charles F. Wright.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles F. Wright, late of Company C, Thirty-first Regiment Massachusetts Volunteers, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN C. NELSON.

The next business on the Private Calendar was the bill (H. R. 5480) increasing the pension of John C. Nelson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John C. Nelson, late captain of Company I, Eleventh Tennessee Cavalry, war between the States, and pay him a pension at the rate of \$24 per month in lieu of the one he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company, strike out the word "of."

In same line, after the word "Eleventh," insert the word "Regiment."

In line 7, before the word "Cavalry," insert the word "Volunteer."

In same line strike out the words "war between the States."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "seventeen."

In line 9 strike out the words "the one" and insert in lieu thereof the word "that."

Amend the title so as to read: "A bill granting an increase of pension to John C. Nelson."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM F. STANLEY.

The next business on the Private Calendar was the bill (H. R. 13505) granting an increase of pension to William F. Stanley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William F. Stanley, late of Company G, Fortieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY NICHOLS.

The next business on the Private Calendar was the bill (H. R. 12410) granting an increase of pension to Mary Nichols.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

additional pension herein granted on account of such child shall cease and determine.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 8, 9, 10, 11, and 12 and insert in lieu thereof the following: "pay her a pension at the rate of \$20 per month and \$2 per month additional on account of a minor child of said soldier until such child shall have arrived at the age of 16 years: *Provided, however,* That in the case of the death of the helpless child, Bennett R. Nichols, on whose account the pension of Mary Nichols is increased, the pension of said Mary Nichols shall continue only at the rate of \$8 per month from and after the date of death of said helpless child."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JACOB FINDLEY.

The next business on the Private Calendar was the bill (H. R. 10856) granting a pension to Jacob Findley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Findley, late of Company F, One hundred and thirty-fifth United States Colored Infantry, and pay him a pension at the rate of \$12 per month.

The amendments recommended by the committee were read, as follows:

In line 7 insert after the word "fifth" the word "Regiment," and in same line insert after the word "Colored" the word "Volunteer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN KIRKHAM.

The next business on the Private Calendar was the bill (H. R. 12326) granting an increase of pension to John Kirkham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Kirkham, late of the First Indiana Militia, and pay him a pension at the rate of \$24 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6 and 7 and insert in lieu thereof the following: "of John A. Kirkham, late of Captain Young's company, Fourth Regiment Indiana Legion, and pay him a pension at the rate of \$12 per month."

Amend the title so as to read: "A bill granting a pension to John A. Kirkham."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SAMANTHA TOWNER.

The next business on the Private Calendar was the bill (H. R. 14374) granting a pension to Samantha Towner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samantha Towner, widow of Justin D. Towner, late captain Company B, Twelfth Illinois Infantry, and pay her a pension at the rate of \$36 per month.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Twelfth," insert the word "Regiment."
In same line, before the word "Infantry," insert the word "Volunteer."
In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWIN M. GOWDEY.

The next business on the Private Calendar was the bill (H. R. 11252), granting an increase of pension to Edwin M. Gowdey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin M. Gowdey, late of Company F, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE E. BUMP.

The next business on the Private Calendar was the bill (H. R. 10824) granting an increase of pension to George E. Bump.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George E. Bump, late of Company A, First Regiment Heavy Artillery Connecticut Volunteers, and pay him a pension of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 7 strike out the words "Heavy Artillery, Connecticut Volunteers," and insert in lieu thereof the words "Connecticut Volunteer Heavy Artillery."
In line 8, after the word "pension," insert the words "at the rate."
In same line strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EBENEZER W. OAKLEY.

The next business on the Private Calendar was the bill (H. R. 12507) granting an increase of pension to Ebenezer W. Oakley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ebenezer W. Oakley, late of Company H, Eighth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "sixty" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CARRIE B. FARNHAM.

The next business on the Private Calendar was the bill (H. R. 6186) granting a pension to Carrie B. Farnham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Carrie B. Farnham, widow of Wilson H. Farnham, late of Company F, Ninety-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PETER DUGAN.

The next business on the Private Calendar was the bill (H. R. 14241) granting an increase of pension to Peter Dugan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter Dugan, late of the United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6, before the words "United States," insert the words "United States steamship *Mound City*."

In line 7 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY F. HUNT.

The next business on the Private Calendar was the bill (H. R. 13450) granting an increase of pension to Henry F. Hunt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry F. Hunt, late of Company I, First Regiment Rhode Island Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 6, before the word "Hunt," strike out the letter "F."
In same line strike out the letter "I" and insert in lieu thereof the letter "E."

Amend the title so as to read: "A bill granting an increase of pension to Henry Hunt."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES K. BATEY.

The next business on the Private Calendar was the bill (H. R. 13052) granting an increase of pension to Charles K. Batey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles K. Batey, late of Company A, Second Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 7, after the word "Infantry," insert the words "Company D, Seventieth Regiment New York Volunteer Infantry, and Company C, Eighty-sixth Regiment New York Volunteer Infantry."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE R. BALDWIN.

The next business on the Private Calendar was the bill (H. R. 13665) granting an increase of pension to George R. Baldwin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George R. Baldwin, late of Company C, Eighth Regiment Mounted Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments recommended by the committee on Invalid Pensions were read, as follows:

In line 7, before the word "Mounted," insert the word "Tennessee."

In same line strike out the words "Mounted Volunteer Infantry" and insert in lieu thereof the words "Volunteer Mounted Infantry."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty-five."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARTHA A. CORNISH.

The next business on the Private Calendar was the bill (H. R. 3986) granting a pension to Martha A. Cornish.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha A. Cornish, widow of James M. Cornish, late of Company G, Tenth Regiment of New York Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 4, strike out the word "upon" and insert in lieu thereof the word "on."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANDREW J. FOGG.

The next business on the Private Calendar was the bill (H. R. 14184) granting an increase of pension to Andrew J. Fogg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. Fogg, late of Company B, Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 6 strike out the word "of" and insert in lieu thereof the words "first lieutenant."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WARREN Y. MERCHANT.

The next business on the Private Calendar was the bill (S. 2457) granting an increase of pension to Warren Y. Merchant.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Warren Y. Merchant, late of Company L, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HANNAH A. VAN EATON.

The next business on the Private Calendar was the bill (S. 5209) granting an increase of pension to Hannah A. Van Eaton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah A. Van Eaton, widow of Flavel H. Van Eaton, late surgeon, Eighth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN P. COLLIER.

The next business on the Private Calendar was the bill (S. 3551) granting an increase of pension to John P. Collier.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John P. Collier, late of Company A, Eleventh Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CALVIN N. PERKINS.

The next business on the Private Calendar was the bill (S. 4240) granting an increase of pension to Calvin N. Perkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Calvin N. Perkins, late of Company H, Thirty-seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN HOUSIAUX.

The next business on the Private Calendar was the bill (S. 712) granting an increase of pension to John Housiaux.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Housiaux, late of Company K, Fifth Regiment United States Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARTHA CLARK.

The next business on the Private Calendar was the bill (S. 4759) granting an increase of pension to Martha Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha Clark, widow of James P. Clark, late of Company I, Second Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving: *Provided,* That in the event of the death of Elmo J. Clark, helpless and dependent son of said James P. Clark, the additional pension herein granted shall cease and determine.

The bill was ordered to be laid aside with a favorable recommendation.

HELENA SUDSBURG.

The next business on the Private Calendar was the bill (S. 4638) granting a pension to Helena Sudsburg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helena Sudsburg, widow of Joseph M. Sudsburg, late colonel Third Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of \$25 per month.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY J. EDGE, ALIAS JASON EDGE.

The next business on the Private Calendar was the bill (S. 3063) granting an increase of pension to Henry J. Edge, alias Jason Edge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry J. Edge, alias Jason Edge, late of United States steamer Benton, United States Navy, and pay him a pension at the rate of \$18 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM M'CORD.

The next business on the Private Calendar was the bill (H. R. 11374) granting an increase of pension to William McCord.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William McCord, late of Company F, One hundred and forty-fifth Regiment New York Volunteer Infantry, and Company I, One hundred and fiftieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY ROGERS.

The next business on the Private Calendar was the bill (H. R. 13886) granting an increase of pension to Henry Rogers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Rogers, late of Company D, Sixteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$25 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-five," and insert in lieu thereof the word "twelve."

The amendment recommended by the committee was agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES T. CROOKER.

The next business on the Private Calendar was the bill (S. 5759) granting an increase of pension to Charles T. Crooker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles T. Crooker, late of Company H, Tenth Regiment New Hampshire Volunteer Infantry, and Company C, Fourth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLOTTE M. HOWE.

The next business on the Private Calendar was the bill (S. 5669) granting a pension to Charlotte M. Howe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charlotte M. Howe, widow of Rufus S. Howe, late of Company D, Eleventh Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

ANNE DOWERY.

The next business on the Private Calendar was the bill (S. 4642) granting an increase of pension to Anne Dowery.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anne Dowery, widow of Edward Dowery, late of Company L, Tenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ANNIE E. JOSEPH.

The next business on the Private Calendar was the bill (S. 2335) granting an increase of pension to Annie E. Joseph.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie E. Joseph, widow of Bvt. Brig. Gen. Charles S. Russell and also widow of George W. Joseph, late private, Company B, One hundred and thirty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SAMUEL H. CHAMBERLIN.

The next business on the Private Calendar was the bill (S. 5670) granting a pension to Samuel H. Chamberlin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel H. Chamberlin, late second lieutenant Company B, Fourth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

MICHAEL MULLETT.

The next business on the Private Calendar was the bill (H. R. 11879) to correct the military record of Michael Mullett.

The bill was read, as follows:

Be it enacted, etc., That the military record of Michael Mullett, late a private in Company C, One hundred and fourth Regiment New York Volunteers, be, and the same is hereby, so corrected as to remove the charge of desertion, and the War Department is hereby authorized and directed to grant him an honorable discharge from said service.

The amendment recommended by the committee was read, as follows:

In line 4 strike out the word "fourth" and insert the word "sixty-fourth."

Mr. HULL. Mr. Chairman, I call for the reading of the report. The report (by Mr. SULZER) was read, as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 11879) to correct the military record of Michael Mullett, report the same back to the House with the recommendation that it do pass.

This is a worthy and meritorious case. The facts are fully set forth in the accompanying papers, which are hereby made a part of this report.

No. 576 ELEVENTH AVENUE,
New York City, N. Y., December 31, 1901.

SIR: I have the honor to submit for your consideration a brief history of my service in the New York Volunteers and the United States Navy during the war of the rebellion.

On the 26th day of August, 1862, I enlisted at Buffalo, N. Y., as a private in

Company C, One hundred and sixty-fourth New York Volunteer Infantry, and served with said company and regiment in every battle and skirmish in which it was engaged up to the 3d day of June, 1864, when, at the battle of Cold Harbor, Va., I received a gunshot wound in the left arm, between the wrist and elbow, and also a gunshot wound in the left hip. I was taken to the field hospital, where my wounds were treated, and after several days was sent to a hospital located about 1 mile outside of the city of Washington, D. C.

As soon as I was well enough to travel was given a furlough for forty days; went to New York City, where I stopped with an old friend by the name of John Kelly, who resided in West Forty-second street. During my stay with Kelly I went down town one day to see some old acquaintances and drank pretty freely. While under the influence of liquor I was strolling along South street, where I fell in with a party of strange men, who asked me to drink with them. After either getting me drunk or drugging me they took me to a recruiting office and shipped me in the United States Navy. This was on the 16th of July, 1864, about fifteen days before my furlough expired. When I became sober I found myself dressed in a sailor's rig and on board the United States receiving ship *North Carolina*, stationed at the Brooklyn Navy-Yard.

When the crew was called to muster, the officer of the deck called the name of Michael Murphy. I did not answer and did not know that I had been enlisted under that name until the officer told me that Michael Murphy was the name borne on my enlistment papers and that I must answer to that name, which I continued to do while in the service.

The next day a strange man came on board the ship and handed me \$300. I do not know who he was, but suppose he must have been a State agent. He was dressed in citizens' clothes. I did not remember ever having seen him before, and I know that I never met him afterwards. At the time of my enlistment I could not have been examined by a board of surgeons, as my wounds were still running and bandaged, and no medical examining officer would have accepted me into the service in the condition that I was in at the time.

Soon after I was transferred to the U. S. gunboat *Fort Jackson*, on blockade duty off Wilmington, N. C. Was in the battle of Fort Fisher, N. C. (first attack), December 25, 1864; also in the second attack and capture of Fort Fisher, January 15, 1865. Was with the crew of second cutter and sent ashore with storming party.

After the capture of the fort at 10 p. m. on the night of January 15 I was detailed to assist in conveying the wounded in our boat to the several ships in the fleet to which the men belonged. In performing this duty I was drenched through and through, as we had to carry all of the wounded through a heavy surf to the boat.

Our boat's crew had to remain on the beach all night, and I contracted a severe cold that resulted in inflammation of the lungs, for which I was treated on the *Fort Jackson* by Surgeon Wales, United States Navy. I remained on said ship until she arrived at the Brooklyn Navy-Yard, when I was sent to the marine hospital at that place. Remained there nearly two months, when I was sent to the receiving ship *Vermont* and honorably discharged on account of disability contracted in the service, on the 20th day of October, 1865.

I did not know, until a few years ago, that I had a charge of desertion standing against me at the War Department. I made an application to have the charge removed, and the same was denied on the ground that I had enlisted in the Navy for the purpose of securing a bounty or other gratuity to which I would not have been entitled had I completed my term of original enlistment. This is evidently an error, as I had no reason whatever for deserting from the Army, as my relations were always pleasant with my officers and comrades, and I fully intended to rejoin my company and regiment on the expiration of my furlough. I had no knowledge of my enlistment in the Navy or that I was enlisted as a substitute until I was handed the \$300 by the strange man, as heretofore stated.

I served my adopted country honestly and faithfully for over three years and still suffer from the wounds that I received at the battle of Cold Harbor, June 3, 1864, so much so that I frequently am obliged to lay off from my work for weeks at a time. I am now an old man, over 68 years of age, and have a family of grown-up sons and daughters who love and honor me, and for their sake, more than my own, I would like to have this charge of desertion, which I feel to be an unjust one, removed from my record.

Very respectfully,

MICHAEL MULLETT.

Late Provost Company C, One hundred and sixty-fourth New York Volunteers, alias Michael Murphy, Late U. S. S. *Fort Jackson*, U. S. Navy.

The SECRETARY OF WAR, Washington, D. C.

The above statement was subscribed and sworn to before me this 3d day of January, 1902.

[SEAL.]

JOHN QUINN,

Notary Public, New York County.

General affidavit.

STATE OF NEW YORK, County of Cattaraugus, ss:

In the matter of Michael Mullett, of Company C, One hundred and sixty-fourth Regiment New York Volunteers:

On this 21st day of September, A. D. 1891, personally appeared before me, a notary public in and for the aforesaid county, duly authorized to administer oaths, James L. Valley, aged 52 years, a resident of Ellicottville, in the county of Cattaraugus, State of New York, whose post-office address is Ellicottville, N. Y., and _____, aged _____ years, a resident of _____, in the county of _____, State of _____, whose post-office address is _____, and who, being duly sworn according to law, depose and say, in relation to aforesaid case, as follows:

That he was first sergeant of Company C, One hundred and sixty-fourth Regiment New York Volunteers; that he knew Michael Mullett, of said Company C, One hundred and sixty-fourth Regiment New York Volunteers; that said Michael Mullett was enlisted at Buffalo, N. Y., on the 26th day of August, 1862, by Capt. T. W. Kelly, for three years, and was mustered into the United States service by Lieutenant Sturgeon at Buffalo, N. Y., and that he served with the company and regiment until the 3d day of June, 1864, when he was wounded at the battle of Cold Harbor, Va., and was sent to hospital.

On or about the 22d of July, 1864, Capt. T. W. Kelly received information that the said Michael Mullett had enlisted in the United States Navy at New York City, and he, Capt. T. W. Kelly, gave me orders to report him on the company roll as a deserter.

Some time, I think in August, 1863, said Michael Mullett made application to be transferred to the Navy. Captain Kelly never forwarded the papers, but destroyed them.

Michael Mullett was last paid by Major Williams to April 30, 1864. I seen Mullett after he was wounded and gave him a drink.

Affiant further declares that he has no interest in said case and is not concerned in its prosecution.

JAMES L. VALLEY.

STATE OF NEW YORK, County of Cattaraugus:

Sworn to and subscribed before me this day by the above-named affiant, and I certify that I read said affidavit to said affiant and acquainted him with

its contents before he executed the same. I further certify that I am in no wise interested in said case, nor am I concerned in its prosecution.

THOS. R. ALLDRICH,
Notary Public.

(Certificate on file in Pension Office.)

NEW YORK, February 1, 1902.

DEAR SIR: I beg to recall my old-time acquaintance with you to ask the favor that you will listen to the bearer, Michael Mullett, otherwise Murphy, whom I have known for many years as an employee of my father and an honest, reliable sailor man. He has a matter of war record (civil war) which he desired to have made conform to the facts. Oblige me by seeing if you can advance his interests, as he is practically destitute of political friends, and I have to rely on those of old times.

Thanking you for any trouble, I am, with regards,
Yours, very truly,

WM. HENRY WHITE.

HON. WILLIAM SULZER,
Member of Congress, United States, City.

SIR: I have the honor to submit the following additional statement in regard to my enlistment in the United States Navy, and request that the same may be filed with other papers now before the Committee on Military Affairs, House of Representatives, in connection with the bill that is now pending for a correction of my military record.

On or about the 16th of July, 1864, while at my home in New York City on furlough, on account of wounds received in the battle of Cold Harbor, Va., I was drugged and taken to the naval recruiting station in Cherry street, New York City, where I was enlisted under the name of Michael Murphy.

When I became sober the next day, I found myself on board the U. S. receiving ship *North Carolina*. And when the name of Michael Murphy was called by the officer of the deck I did not answer, as I did not know that I had been enlisted under that name until the officer told me that that was the name borne on my enlistment papers and I must answer that name. I protested strongly against this, and told him that I was a member of Company C, One hundred and sixty-fourth New York Volunteers; that I had been severely wounded while with my company and regiment at the battle of Cold Harbor, Va., June 3, 1864, and that I was at home on furlough, and that my name was Michael Mullett, and not Michael Murphy; that I had met several friends the day before, who got me under the influence of liquor; that I was later on "shanghaied" by a lot of "bounty brokers," who were well known in South street, and asked to be allowed to go to my home, so that I could rejoin my regiment when my furlough expired.

The officer would not pay any attention to my explanation, but replied that I must stay where I was; that it did not make any difference whether I served under my right name or not. Neither did it make any difference whether I served in the Army or Navy; that I had been regularly enlisted and brought on board that vessel, and there I must stay. So, finding it useless, I made no further protest, but served faithfully, which the records of the Navy Department will show, until October 20, 1865, when I was honorably discharged, at the Brooklyn Navy-Yard, on account of disability.

The party referred to in my letter addressed to the Secretary of War in December last, that handed me the \$300, told me that it was "Government bounty," that it was mine and I must take it. I protested, and told him that my wounds were running and that no fair-minded medical officer would have accepted me into the service. He said, "Well, you are here now and here you will have to stay," and left the ship after handing me the money. I heard afterwards that this same man got \$1,500 for sending me as a substitute.

I will also add that the facts as here related have come to my mind since writing my former statement, and that they are absolutely true in every respect, and that I never thought of deserting from the One hundred and sixty-fourth New York Volunteers and did not enlist for the purpose of securing Government or any other bounty.

MICHAEL MULLETT,
576 Eleventh avenue, New York City.

HON. WILLIAM SULZER,
House of Representatives, Washington, D. C.

Sworn to and subscribed before me this 17th day of May, 1902.

[SEAL.] CHARLES HAAG,
Notary Public, New York County.

WAR DEPARTMENT,
Washington City, March 11, 1902.

SIR: In reply to your request for information upon House bill 11879, Fifty-seventh Congress, first session, for the relief of Michael Mullett as a private of Company C, One hundred and sixty-fourth Regiment New York Infantry Volunteers, I have the honor to inclose a report from the Chief of the Record and Pension Office of this Department.

Very respectfully,

ELIHU ROOT,
Secretary of War.
The CHAIRMAN COMMITTEE ON MILITARY AFFAIRS,
House of Representatives.

Case of Michael Mullett, late of Company C, One hundred and sixty-fourth New York Volunteers.

It is shown by the records that Michael Mullett was enrolled August 26, 1862, as a private in Company C, One hundred and sixty-fourth New York Infantry Volunteers, to serve three years. The muster-in roll of the company, dated November 19, 1862, reports him "deserted October 10, 1862, from Buffalo," and the bimonthly muster roll, dated December 31, 1862, "present; returned to duty December 1, 1862." He appears to have served faithfully with his company, after his return thereto, until June 3, 1864, when he received a gunshot wound of left hip and arm (contusion) at the battle of Cold Harbor, Va.

He was admitted to depot field hospital, Second Army Corps, White House Landing, Va., June 4, 1864, with gunshot wound left arm, slight, and left hip, disposition not stated; admitted to Finley general hospital, Washington, D. C., June 8, 1864, with gunshot wound left forearm, upper one-third, and gunshot wound left hip, and was furloughed June 25, 1864. Failing to return to hospital or to rejoin his command, which was not mustered out until July 15, 1865, he was reported on the records of his company as having deserted July 22-August 4, 1864.

He reenlisted under the name "Michael Murphy" in the United States Navy July 16, 1864, at New York City, and was discharged October 20, 1865, at the same place. Upon his enlistment he was credited to the First Ward, Brooklyn, Kings County, Third Congressional district of New York, as a substitute for James Monroe.

Applying for removal of the charge of desertion and for an honorable discharge as of Company C, One hundred and sixty-fourth New York Volunteers, Mullett testified January 7, 1892, as follows:

"That he served faithfully until on or about the 3d day of July, 1864, when,

without any intention of deserting, he left the regiment under the following circumstances: He enlisted August 26, 1862, for three years, and served faithfully until wounded in the battle of Cold Harbor, Va., July 3, 1864, and was sent to a hospital. Having received a furlough from the hospital, he enlisted in the Navy, July 16, 1864, on the U. S. man-of-war *Fort Jackson*, and served faithfully thereon until the close of the war. About August, 1863, he made application to be transferred to the Navy, but his papers were destroyed by Captain Kelley.

"He prays that he may be relieved of the charge of desertion and granted an honorable discharge."

On January 25, 1892, the applicant testified that he enlisted in the Navy under the name Michael Murphy, and was discharged in that name on October 20, 1865.

The application for removal of the charge of desertion and for an honorable discharge in this case has been denied, and now stands denied, on the ground that the enlistment of this soldier in the United States Navy (as a substitute) appears to have been made for the purpose of securing bounty or other gratuity to which he would not have been entitled had he remained under his term of enlistment in the One hundred and sixty-fourth New York Infantry Volunteers, and because the case does not come within any of the other provisions of the act of Congress approved March 2, 1889, which is the only law now in force governing the subject of removal of charges of desertion.

Respectfully submitted,

F. C. AINSWORTH,
Chief Record and Pension Office.

RECORD AND PENSION OFFICE,
War Department, March 11, 1902.

The SECRETARY OF WAR.

Mr. HULL. Mr. Chairman, I feel that, in justice to the Committee on Military Affairs and to the Committee of the Whole, I should explain the case now pending before the committee. The evidence that was submitted by this party was largely his own testimony, and the committee, if they paid attention to the reading of it, will remember that it was to the effect that this claimant was on furlough after serving more than a year in the Army, that he got drunk, that he was impressed into the service by naval officers, and that he accepted the bounty money under protest, without any evidence that he ever undertook to pay it to any party or appeal to the proper authorities for relief.

I can not believe, Mr. Chairman, that any naval officer would impress a Union soldier who had served over one year in the Army and out on furlough. The evidence submitted by the claimant to the War Department differs from that presented to the committee. The evidence, which is of his own witnesses, is to the effect that he had applied for a transfer to the Navy, and it was refused. The whole case, to my mind, is one which indicates that he deliberately went into the Navy as a substitute for the purpose of securing the bounty money.

There are before the committee 1,000 bills of this character, where, if the testimony of the parties themselves can be taken, great wrongs have been perpetrated upon them by having them all these years charged as deserters, and where they are now knocking at the doors of Congress for the purpose of getting relief so that they may have the benefit of the act of 1890, granting pensions.

Mr. KLEBERG. Was this a unanimous report of the committee?

Mr. HULL. Not at all. My judgment does not bind me as chairman of the committee at all, nor several other members of the committee. In fact, I will say that it was never recommended by any member of a subcommittee that had the matter in charge. Now, Mr. Chairman, if we are to adopt this class of cases—

Mr. MADDOX. I would like to ask the gentleman how the bill came here.

Mr. HULL. It was passed by the full committee.

Mr. MADDOX. Recommended by the full committee?

Mr. HULL. Yes; by a majority of the committee. It was recommended after several sessions and much solicitation. I want to say to you gentlemen on the Democratic side that your record has been consistently to oppose cases of desertion in almost every case and especially where it was not of the very clearest evidence that the desertion was technical rather than real. Why are you now in favor of this bill? If this is to be passed by the committee, in justice to other members of the House having bills of like character before the committee their bills should be reported and passed.

I want the House in this matter to make a record of what it desires in such cases as this, where a man served in the Army up to 1864, when large bounties were paid, and deserted from the hospital or otherwise, many of them from the hospitals, as this man has, and enlisted in other regiments or in the Navy under another name for the purpose of securing the large bounty from cities like New York and elsewhere. If this bill shall be passed, it is only fair to other members of Congress who have similar bills that the committee should cease to turn them down and give them the same treatment as is accorded in this case.

Mr. SULZER. Mr. Chairman, the uncalled-for opposition of the gentleman from Iowa [Mr. HULL] to this meritorious and commendable bill does not surprise me. The gentleman is the chairman of the Military Affairs Committee of this House, and

many here know that on his account it is almost impossible to get a bill reported favorably from that committee to correct the military record of an old soldier. The gentleman is opposed for some reason or other to a favorable report on almost every bill in that committee to remove an unjust charge of desertion against an old soldier, no matter whether the charge is true or false, no matter whether it is right or wrong.

As a member of that committee I have investigated several of these cases now before the committee, honest and just cases, in my opinion, where a stigma has been placed on the record of a worthy soldier, but on account of the influence of the gentleman from Iowa the bills are not reported to this House and will not be reported.

Mr. HULL. Mr. Chairman—

Mr. SULZER. Mr. Chairman, I decline to be interrupted at this time. I did not interrupt the gentleman from Iowa. I believe I know of another reason why he is opposed to this bill. I was one of the men who voted the other day for the resolution of the gentleman from Illinois [Mr. CANNON] to instruct the conferees of the House to strike out of the Army appropriation bill an item that I thought was wrong. I voted then as my judgment dictated, and now the gentleman from Iowa is trying to punish me by endeavoring to defeat this bill.

The CHAIRMAN. The Chair will ask the gentleman from New York to avoid criticising the chairman of the committee.

Mr. SULZER. Indeed, I did not know a chairman of a committee in this House was above criticism.

Mr. KLEBERG. Mr. Chairman, I would like to have some reason why this bill should be passed. I shall want pretty strong evidence to secure my vote for it.

Mr. SULZER. If the gentleman will read the report, I believe he will support the bill. Now, Mr. Chairman, let us inquire what are the facts in this case. The complete record is before the committee. This old soldier, Michael Mullett, enlisted at Buffalo, N. Y., on the 26th day of August, 1862, as a private in Company C, One hundred and sixty-fourth New York Volunteer Infantry. He served in his regiment faithfully until he was badly wounded at the battle of Cold Harbor, Va., July 3, 1864, when he was sent to the hospital, and during his convalescence he received a furlough of forty days to visit his home in New York City. He returned to the city of New York.

On or about the 16th of July, 1864, while at his home in New York City on furlough, on account of wounds received in the battle of Cold Harbor, Va., he was drugged and taken to the naval recruiting station in Cherry street, New York City, where he was enlisted under the name of Michael Murphy.

When he became sober the next day he found himself on board the United States receiving ship *North Carolina*. And when the name of Michael Murphy was called by the officer of the deck he did not answer, as he did not know that he had been enlisted under that name until the officer told him that that was the name borne on his enlistment papers and he must answer that name.

He protested strongly against this, and told him that he was a member of Company C, One hundred and sixty-fourth New York Volunteers; that he had been severely wounded while with his company and regiment at the battle of Cold Harbor, Va., July 3, 1864, and that he was at home on furlough, and that his name was Michael Mullett, and not Michael Murphy; that he had met several friends the day before, who got him under the influence of liquor; that he was later on "shanghaied" by a lot of "bounty brokers," who were well known in South street, and asked to be allowed to go to his home, so that he could rejoin his regiment when his furlough expired.

The officer would not pay any attention to his explanation, but replied "that he must stay where he was; that it did not make any difference whether he served under his right name or not. Neither did it make any difference whether he served in the Army or Navy; that he had been regularly enlisted and brought on board that vessel and there he must stay. So, finding it useless he made no further protest, but served faithfully (which the records of the Navy Department will show) until October 20, 1865, when he was honorably discharged at the Brooklyn Navy-Yard on account of disability. That is substantially the sworn record in this case.

Mr. MADDOX. Does the record show that he served through the war in the Navy and was honorably discharged?

Mr. SULZER. Yes, the record in the Navy Department shows that he served faithfully to the end of the war, and he was honorably discharged then for disability. He was badly wounded in the Army and also while in the Navy. This bill corrects his record in the War Department, and, all things considered, it should be corrected in this case. It is one of the most meritorious cases ever considered by the committee.

Mr. KLEBERG. Was the testimony of the man whose substitute he was obtained, or is it obtainable?

Mr. SULZER. I will say to the gentleman that it is impossi-

ble to obtain it. We do not know positively if he was a substitute. There is no evidence.

Mr. KLEBERG. Is he dead?

Mr. SULZER. I do not know, but it is impossible to obtain it. Mr. MIERS of Indiana. Is the record from which you are reading—is that the testimony of the claimant, or is it corroborated by other facts?

Mr. SULZER. It is corroborated by other statements of fact and by the records in the War and Navy Departments.

Mr. PALMER. What are the facts corroborated?

Mr. SULZER. I suggest the gentleman read the report.

Mr. MIERS of Indiana. I think it would be important if there were other facts, and the committee ought to know it.

Mr. SULZER. There is no doubt the statements set forth in the report are true, and they make out a most worthy case, entitling this old soldier to the relief prayed for. There should be no opposition to this bill. Similar bills are frequently passed to correct military records. In the report you will find an affidavit made by Mr. James L. Vallyely. He swears:

That he was first sergeant of Company C, One hundred and sixty-fourth Regiment New York Volunteers; that he knew Michael Mullett, of said Company C, One hundred and sixty-fourth Regiment New York Volunteers; that said Michael Mullett was enlisted at Buffalo, N. Y., on the 26th day of August, 1862, by Capt. T. W. Kelly, for three years, and was mustered into the United States service by Lieutenant Sturgeon at Buffalo, N. Y., and that he served with the company and regiment until the 3d day of July, 1864, when he was wounded at the battle of Cold Harbor, Va., and was sent to hospital.

On or about the 23d of July, 1864, Capt. T. W. Kelly received information that the said Michael Mullett had enlisted in the United States Navy at New York City, and he, Capt. T. W. Kelly, gave me orders to report him on the company roll as a deserter.

Some time, I think in August, 1863, said Michael Mullett made application to be transferred to the Navy. Captain Kelly never forwarded the papers, but destroyed them.

Michael Mullett was last paid by Major Williams to April 30, 1864. I seen Mullett after he was wounded and gave him a drink.

Affiant further declares that he has no interest in said case and is not concerned in its prosecution.

And here is a letter from a well-known citizen of New York City. I will read it from the report:

NEW YORK, February 1, 1902.

DEAR SIR: I beg to recall my old-time acquaintance with you to ask the favor that you will listen to the bearer, Michael Mullett, whom I have known for many years as an employee of my father and an honest, reliable sailor. He has a matter of war record (civil war) which he desired to have made conform to the facts. Oblige me by seeing if you can advance his interests.

Thanking you for any trouble, I am, with regards,

Yours, very truly,

WM. HENRY WHITE.

Hon. WILLIAM SULZER,
Member of Congress, United States, City.

Mr. PALMER. What fact does that corroborate?

Mr. SULZER. That proves that he is an honest man; that he was a brave soldier and sailor for his country, and is entitled to credence, is worthy of belief in all he has sworn to.

Mr. PALMER. The question I asked was whether there was any affidavit—

Mr. SULZER. I have already stated that, and I read the affidavit made by Mr. Vallyely, corroborating Mullett's affidavit. It is all in the report. Read it yourself.

Mr. PALMER. I did not observe that there was any testimony except the man's own statement that he was "shanghaied," as it was called, and enlisted when he was drunk. On the other hand, I noticed in the report that the man had asked to be transferred into the Navy and did not get permission, and then deserted and went there.

Mr. SULZER. That is not correct. I will read again the last affidavit that Mullett makes. It ought to be sufficient.

On or about the 16th of July, 1864, while at my home in New York City on furlough, on account of wounds received in the battle of Cold Harbor, Va., I was drugged and taken to the naval recruiting station in Cherry street, New York City, where I was enlisted under the name of Michael Murphy.

When I became sober the next day, I found myself on board the U. S. receiving ship *North Carolina*. And when the name of Michael Murphy was called by the officer of the deck I did not answer, as I did not know that I had been enlisted under that name until the officer told me that that was the name borne on my enlistment papers and I must answer that name.

I protested strongly against this, and told him that I was a member of Company C, One hundred and sixty-fourth New York Volunteers; that I had been severely wounded while with my company and regiment at the battle of Cold Harbor, Va., June 3, 1864, and that I was at home on furlough, and that my name was Michael Mullett, and not Michael Murphy; that I had met several friends the day before, who got me under the influence of liquor; that I was later on "shanghaied" by a lot of "bounty brokers," who were well known in South street, and asked to be allowed to go to my home so that I could rejoin my regiment when my furlough expired.

The officer would not pay any attention to my explanation, but replied "that I must stay where I was; that it did not make any difference whether I served under my right name or not. Neither did it make any difference whether I served in the Army or Navy."

Now, that tells the whole story—and it is a sad one—one that appeals to me.

Mr. KLEBERG. What the gentleman reads would imply that the naval officer in command received into the service a man who was drunk and who was bound, possibly, hand and foot and brought to the ship. Is that what we are to understand?

Mr. SULZER. I have read the sworn statements. You can draw your own conclusions.

Mr. KLEBERG. But the implication is that an officer of the Navy—

Mr. SULZER. I am not discussing "implications." I read the affidavits of a man whom I know, and I believe him. I know Mr. Mullett, and I believe he tells the truth.

Mr. KLEBERG. I am simply asking for information.

Mr. SULZER. Quite so, and you can draw any conclusion that you desire from these affidavits. I say I know Mullett, and I know he is an honest man—a truthful man. I believe all he says. If I did not, I should not have introduced this bill.

Mr. KLEBERG. We would naturally have to assume from this testimony that that naval officer of the Government permitted an abuse and a crime of this kind to occur under his eye and participated in it.

Mr. SULZER. In those days during the civil war it was a matter of frequent occurrence in the North to "shanghai" men and enlist them. There were bounty brokers galore in New York City who made it a business to get men under the influence of liquor or drugs and while they were insensible to "shanghai" them, as it was called, and enlist them in the Army or Navy. These criminals would get the bounty; and sometimes, on account of their conscience, they would give the enlisted man probably a quarter or a tenth of the bounty that they had received for enlisting him, and say it was Government money.

Mr. MANN. Will the gentleman allow me?

Mr. SULZER. I must decline to yield further at present. When I have finished I shall be very glad to yield to the gentleman, but at present I wish the members here to comprehend the facts in this case as they are in the record.

Now, sir, Mullett swears that the naval officer on the recruiting ship said to him, when he protested, that it did not make any difference whether he served in the Army or the Navy. The affidavit continues:

So, finding it useless, I made no further protest, but served faithfully (which the records of the Navy Department will show) until October 20, 1865, when I was honorably discharged, at the Brooklyn Navy-Yard, on account of disability.

Mr. Chairman, this man Mullett served his country practically during the entire civil war, in the Army and in the Navy. While in the Army he was badly wounded at Cold Harbor. While in the Navy he was also wounded in several engagements. There is not a scintilla of evidence in the War Department or the Navy Department that this man Mullett was not an honest, brave, and faithful soldier and sailor, who served during the war from 1862 to 1865.

He was "shanghaied" into the Navy, and he should not be held responsible for what the naval officer on the recruiting ship said to him or did to him. He was enlisted in the Navy, and he had to obey orders. He could not go back to his regiment when he wanted to go back. This naval officer told him it made no difference whether he served in the Army or the Navy. In those days a poor soldier, or a poor sailor, had to obey orders. There was not to reason why—any disobedience met with prompt punishment. Under all the circumstances Mullett did all he could, and failing to get back to his regiment served his country bravely and faithfully in the Navy until the war was over and he was honorably discharged.

Mr. KLEBERG. I do not want to be captious, but I would like to inquire if that naval officer is still living?

Mr. SULZER. That we could not ascertain.

Mr. KLEBERG. Or any of the officers of that ship?

Mr. SULZER. I could not state; we could not learn.

Mr. WARNOCK. What effort, if any, did he make between the period of 1864 to October, 1865, to have this great wrong done him rectified? Did he make any?

Mr. SULZER. He says he did, and Mr. Vallery swears to it also, but it was unavailing. He protested against his enlistment in the Navy. He protested against it at the beginning and protested against it afterwards. The affidavit of Mr. Vallery corroborates this statement of Mullett's.

Mr. WARNOCK. Does anybody say that he made a protest to him?

Mr. SULZER. Yes; Mr. Vallery swears to it. I will read again that portion of the affidavit.

On or about the 23d of July, 1864, Capt. T. W. Kelly received information that the said Michael Mullett had enlisted in the United States Navy at New York City, and he, Capt. T. W. Kelly, gave me orders to report him on the company roll as a deserter.

Some time, I think in August, 1863, said Michael Mullett made application to be transferred to the Navy. Captain Kelly never forwarded the papers, but destroyed them.

He also made the protest to officers in command at the time he was forced into the Navy, and there is proof—absolute proof—that he did all he could in his power to rejoin his regiment, but without avail.

Mr. WARNOCK. Did he make any effort that is of record to right this great wrong, immediately after the war, or within twenty-five years after the war?

Mr. SULZER. As a matter of fact, when he was discharged from the Navy—honorably discharged, which discharge he still has—he thought that honorable discharge was all that was required and all that he could get, and he never knew that he was marked as a deserter on the records of the War Department until, I think, about 1892. When he discovered it he began immediately to take steps to have it removed. General Ainsworth denied his application for lack of authority. Mr. Mullett is a man well along in years now, I know him very well, and he is a worthy, industrious citizen of the city of New York.

He is married and has several children. He does not want this charge of desertion on the Army records removed against him in order to get a pension. He does not need a pension and cares nothing about it. His children are capable of taking care of him for the few years he has yet to live; but as an old soldier of the Union, as a man who fought in the Army and in the Navy for the old flag and for his country, he does not want to go to his grave with the stigma of a deserter on his record. He feels this keenly and he wants to leave his children a clear record as their greatest heritage when he dies, and I appeal to every man here to right this wrong and to give this grand old soldier who shed his blood for the Union on land and sea what he craves in his expiring days as his greatest boon—as honorable a record in the Army as he has in the Navy.

I know it is easy to be technical; I know anyone can be captious; I know it is easy for lawyers here to spin fine distinctions of fact, to get up in their places and find fault with an honest report like this, to pick to pieces the affidavits of a poor old soldier and sailor, now broken in health and tottering on the brink of the grave; but I tell you that every man who will read the affidavits of this poor old soldier and sailor, every man who will look into the record of this battle-scarred veteran, will have no hesitation in supporting this bill, and will never in the future have occasion to square his conscience with the proper performance of duty.

I know, and we all know, that there are many cases where men on the muster rolls of the Army and Navy have been marked unjustly as deserters, and in those cases it is the duty of Congress to remove the charge and to give the brave old soldier or sailor a clear pass of honor as he marches forward to that undiscovered country from whose bourn no traveler returns. [Loud applause.]

Mr. HULL. Mr. Chairman, I think I am entitled to one word of personal explanation. The gentleman makes a charge that I am opposed to all bills for the removal of the charge of desertion. He is only partially correct. I am, as a rule, opposed to them, but there is no case on record since I have been a member of that committee where I have tried to keep any bill from being considered by the committee when it was properly brought before the committee by one of the subcommittees charged with the investigation of the case, and the statement of the gentleman from New York [Mr. SULZER] that I am opposing this bill because, forsooth, he voted a certain way in the House the other day is utterly absurd and untrue, because the vote was taken on this bill in the Committee on Military Affairs and had practically voted down, almost without a division, a proposition to report this bill, and it was only after the personal eloquence and personal talk of the gentleman from New York that as a personal favor he secured even a majority of the committee at the next vote.

I want to say to this committee that I have never tried to prevent the consideration of any of these bills, but I do believe as a Union soldier that the line of demarcation between the man who served his country without desertion and the man who deserted to get a bounty should be preserved and not wiped out by the Congress of the United States. This man, by his own confession, took the bounty and kept it. He uttered no word of complaint that can be substantiated from 1864 to 1892. He rested under his alleged wrongs for twenty-eight years.

Now, Mr. Chairman, I want to make one more statement.

Mr. KLEBERG. I want to ask the gentleman one question.

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Texas?

Mr. HULL. Certainly.

Mr. KLEBERG. Is it not possible that in this case we can get more light? That is, can not the investigation be extended and other proof had, so as to make it more clear? And what effort has the committee made to clear up the matter?

Mr. HULL. Mr. Chairman, the committee considered everything that the gentleman could submit to us. As a matter of fact, there is no question but that the officers of the ship can be found, if they are living; but that was not even asked for by the attorney for the claimant in the case. We took all the evidence he could give.

Mr. KLEBERG. Are the officers of the ship now living?

Mr. HULL. I do not know whether they are living or not; but if they are living, the Naval Record will show who they were and where they are.

I want to say one word further in answer to the gentleman's attack on me in this matter. No subcommittee recommended this to the full committee and, in fact, the subcommittee having the matter in charge, anxious to accommodate the gentleman from New York [Mr. SULZER], after full investigation refused to make a report in favor of the bill, and submitted it simply with a statement of the facts.

So that if you will take the case as it is there has been nothing that I have done that is open to the criticism of the gentleman from New York. There is nothing in the case that differs from at least a thousand other cases before the committee that we have not reported favorably, and many of which have been reported unfavorably, and you are making a record in this case by a vote of the committee first, and if reported favorably by a record vote in the House as to what instructions you will give the Committee on Military Affairs in regard to this class of bills that the committee heretofore have declined to consider favorably.

Mr. ROBINSON of Indiana. If the gentleman will hold the floor a minute, I should like to ask him a question.

Mr. HULL. Certainly.

Mr. ROBINSON of Indiana. It is something unusual for a member of the committee to fly in the face of his committee in a matter of correcting a military record or granting a pension. The other day when the House had a matter under consideration, involving an instruction which I thought was entirely proper, the gentleman took a contrary view to the one he takes to-day.

Now, after hearing the reading of the report in this case, I want to ask the gentleman if this case is in any substantial way dissimilar to many cases favorably reported by the sanction of the gentleman from Iowa? And I should like to ask him if cases of no greater merit than this have not been favorably reported by his committee without any objection from him?

Mr. HULL. Mr. Chairman, I want to say to the gentleman from Indiana that this is the first case where it has been proven that a man deserted from the Army to go into another branch of the Army or into the Navy, where he received a bounty, that has ever been favorably reported within my knowledge.

Mr. ROBINSON of Indiana. The gentleman recognizes that there were very many cases where there was a misuse of power by Army officers during the war of the rebellion, whereby men were placed in unfortunate predicaments from which they ought to be relieved.

Mr. HULL. There is no question about that in my mind, Mr. Chairman.

Mr. ROBINSON of Indiana. And plenty of such cases are now pending before the gentleman's committee with no chance to get a favorable report.

Mr. HULL. But in my judgment a man who was outraged as this man now claims he was outraged would not have rested quietly under that from 1864 down to 1892 without ever making a protest that could be acted upon and the facts determined.

Mr. ROBINSON of Indiana. Has not the gentleman's committee largely placed itself as a barrier against the relief of those cases?

Mr. HULL. Not at all.

Mr. ROBINSON of Indiana. And are not members of the House constantly entreating that committee favorably to report those cases?

Mr. HULL. All the evidence is before the House that is before the committee.

Mr. ROBINSON of Indiana. Let me ask the gentleman how many cases for the removal of charges of desertion are now before his committee?

Mr. HULL. I should imagine fifteen hundred, and probably more.

Mr. ROBINSON of Indiana. How many have you reported this session?

Mr. HULL. I should think from twenty-five to thirty; and I want to say to the gentleman from Indiana that before the act of 1890 was passed there were not 200 cases of that character before the committee.

Mr. ROBINSON of Indiana. I will ask the gentleman how many such bills were favorably reported in the last Congress?

Mr. HULL. I should say probably thirty or forty in the last Congress.

Mr. ROBINSON of Indiana. How many the Congress before that?

Mr. HULL. More than that. But on account of the careful attitude of gentlemen on this side of the Chamber you gradually caused the Committee on Military Affairs to be more conservative; and wherever there is a case there of desertion more tech-

nical than real, where the man performed service during the war, where he performed service in the same command or had left his command for another, they report it favorably in every case, or where it is shown that the officers—and there are many such cases—have been guilty of overbearing conduct and outrageous conduct toward men, in every case of that kind the committee has given the man the benefit of the doubt.

Mr. ROBINSON of Indiana. That is in the cases reported. But does not the gentleman know that there are hundreds of these cases on hand that the committee has failed to report on?

Mr. HULL. No; I do not; and if there is a case of that kind in the knowledge of the gentleman from Indiana and he will bring it to the attention of the proper subcommittee I have no doubt that it will be promptly considered.

Mr. ROBINSON of Indiana. Does the gentleman think that out of eleven hundred cases only 20 or 30 cases ought to be favorably acted on by the committee?

Mr. HULL. I want to say that there is a very much larger number acted upon—not all favorably.

Mr. ROBINSON of Indiana. I wanted to ask the gentleman whether he thought that was a proportion that ought to be acted upon favorably by the committee out of eleven hundred.

Mr. HULL. In the committee each stands on its merits.

Mr. ROBINSON of Indiana. But you do not consider them.

Mr. HULL. They consider every case where a member of Congress presses it.

Mr. ROBINSON of Indiana. I do not so understand it.

Mr. HULL. There are two subcommittees working constantly. Mr. MONDELL is on one of them and Mr. ESCH on the other. I believe you will find that they have reported more bills than any Congress ever did.

Mr. PALMER. I would like to ask the gentleman if every man who deserted for the sake of taking a bounty could not have presented as good a case as this man?

Mr. HULL. They all do it. A man would not go about this without making good affidavits.

Mr. PALMER. If this man's bill passes, ought not every man who deserted to take a bounty have his record amended?

Mr. HULL. I think so. That is why I want the House to make a record.

Mr. MANN. Mr. Chairman, the gentleman from New York [Mr. SULZER] did me the honor of refusing to yield to me to ask him a question, and if he is not too busy I would crave his attention long enough to answer a question.

Mr. SULZER. I shall be glad to answer any question the gentleman may ask, if I can. The only reason I declined to be interrupted at the time the gentlemen asked me to yield was because I wanted to state all the facts to the House.

Mr. MANN. I understood the gentleman at that time was undertaking to make a speech to the House of the same kind that he does to his constituents and did not want to be interrupted, and I did not blame him.

Mr. SULZER. That is kind of the gentleman.

Mr. MANN. It was a good speech, and I would like to hear it again.

Mr. SULZER. It never hurts an old song to sing it twice. [Laughter.]

Mr. MANN. No, sir; it was a good speech. What I wanted to ask the gentleman was, Did this man actually receive a bounty?

Mr. SULZER. No; he did not actually receive a bounty.

Mr. HULL. He says he did.

Mr. SULZER. I am answering the question, not the gentleman from Iowa. [Laughter.]

Mr. HULL. He says he did.

Mr. SULZER. He did not so swear, and if the gentleman will read the report he will see that he did not.

Mr. MANN. He got the \$300.

Mr. SULZER. Let me read from the report—the sworn statement of Mullett. He said a man came on board the receiving ship the next day and handed him \$300, and told him that it was Government money, that it was his, and that he must take it. He says he protested and told this man that his wounds were running, and that no fair-minded medical officer would accept him in the service. The man answered: "Well, you are here now, and here you will have to stay," and left the ship. It is well known bounties were paid at that time, and I do not suppose Mullett in those days, and especially after his experience of the night before, was the brightest man in the world.

Mr. MANN. Well, now, if the gentleman will please wait. He says that the man "protested." But did he take the money?

Mr. SULZER. As testified to, the \$300 was left with Mullett as Government money. That is all there is to it.

Mr. MANN. Does the gentleman believe that this man, leaving one command and entering another and receiving \$300, thought that he was receiving this as Government money from this man?

Mr. SULZER. He swears he was told it was Government money, and, knowing the man, I believe him.

Mr. MANN. The man had been in the employ of the Government for some time?

Mr. SULZER. He had been a brave soldier from the time that he enlisted in August, 1862, until then, and when he went in the Navy he was a gallant sailor.

Mr. MANN. Does the gentleman think that this man was of the opinion that the Government was sending \$300 around to its soldiers and giving it to them?

Mr. SULZER. He certainly did, and he swears so; and it is very natural for him to do so; very natural, indeed. Bounties were paid, I believe, in those days by the various States and cities.

Mr. MANN. How long had this man been in the service of the Government in the Army?

Mr. SULZER. From the 26th of August, 1862, until July, 1864. He was badly wounded at the battle of Cold Harbor on the 3d day of July, 1864, and sent to the hospital. He was comparatively a young man at that time.

Mr. MANN. I have no doubt there are many circumstances in favor of giving this man a pension.

Mr. SULZER. He is not an applicant for a pension. I am willing now to accept an amendment to this bill that Mullett does not want a pension and that he will never apply for one.

Mr. MANN. I say I should have no objection to giving this man a pension as a matter of charity, but what he asks is justice, and so far as justice is concerned he was a deserter and a bounty jumper, and if the gentleman from South Carolina were here he would be called a coffee cooler and a camp follower. [Laughter.]

Mr. SULZER. That is the opinion of the gentleman from Illinois. I have heard criminal lawyers draw similar conclusions from truthful affidavits.

Mr. MANN. My judgment is that it takes a criminal lawyer to understand this case, because the applicant was guilty of a crime.

Mr. SULZER. The crime was committed against Mullett.

Mr. MANN. This man was a deserter—

Mr. SULZER. He was not. I deny it. The record disproves it—

Mr. MANN (continuing). Not only a deserter, but he took money for desertion and entered into another branch of the service. You might well claim that he got drunk and was shanghaied into the Navy, but when he received over his protest—oh, yes, protest—\$300, which he put in his pocket and spent, it is nonsense to say that he did it without knowing what he was doing. He has the character of a deserter, and if the gentleman from South Carolina, who is now attending to his duties as candidate for governor in that State, were here he would denounce this bill as being of that character that brings disgrace on this Congress for attempting to pass it.

Mr. SULZER. Let me say this to the gentleman from Illinois. If this man Mullett was not an honest man, if what he says was not true, do you suppose he would put that statement about the \$300 in his affidavit? He could have left it out. Had he been dishonest in the matter he would have left it out and no one would have been the wiser. The fact that he put it in stamps it all over with truth.

Mr. BROMWELL. In other words, if he was guilty of being a bounty jumper he must be an honest man for stating it in the affidavit. [Laughter.] That is the argument of the gentleman from New York.

Mr. SULZER. No; that is not my argument. My contention is that if Mullett was a bounty jumper he would not testify to it under oath, when it was not necessary to mention it, but we see he tells the whole truth and nothing but the truth regarding all the facts of his case. He conceals nothing.

Mr. MANN. Mr. Chairman, I suppose the reason the man put these facts in his affidavit, which the gentleman from New York says he would not have put in if he was not honest, was because he was relying on the eloquence and the specious argument of the gentleman from New York to work all around the truth and never once hit the center of it. [Laughter.]

Mr. SULZER. This case is submitted on the record. I know Mullett, and I say he tells the truth. I rely on the sworn statements and on all the surrounding circumstances, and I appeal to every member to vindicate this brave but now broken soldier, and take from his record as the grave opens to receive him this stain put there by others without his knowledge or consent.

Mr. HAY. Mr. Chairman, I think since the chairman of the Committee on Military Affairs has seen fit to go into what occurred when this bill was reported out of the committee, that it is but due to the House to say that the chairman of the subcommittee who had this bill under consideration voted for the bill in committee. I refer to the gentleman from Wisconsin [Mr. ESCH].

Mr. HULL. I want to say to the gentleman from Virginia

that the reason I referred to it was because of the assault made on me by the gentleman from New York [Mr. SULZER].

Mr. HAY. I was not present at that time.

Mr. HULL. I want to ask the gentleman if it was not true that Mr. ESCH stated that the subcommittee and himself would decline to recommend it?

Mr. HAY. It is true when the case first came up Mr. ESCH stated what the gentleman from Iowa has said; but the gentleman from Wisconsin stated that he desired the gentleman from New York to procure further evidence, and the gentleman from New York was going to procure some evidence, and when that additional affidavit was secured the gentleman from Wisconsin brought the case up and voted for it himself.

Mr. HULL. But he never claimed that the subcommittee was in favor of it.

Mr. HAY. No; he did not. I do not know that the subcommittee, after the additional evidence was obtained, ever had a meeting or acted upon it. Now, this case is, in my judgment, a very fair case. I do not see that there is any great difference between this case and a great many others that have been reported and passed upon by this House. This man has rendered four years' service in all—two years in the Army and two years in the Navy.

The man was wounded and rendered faithful service. He was impressed in the Navy under circumstances which should at least give him some consideration before this House. I am not one of those who want to assume that every man who makes an affidavit in attempting to correct his military record is necessarily a liar and a scoundrel as some gentlemen seem to think that he is. I went over this case carefully in the Committee on Military Affairs, and after reporting it believed it to be a fair case, and trust that the committee will sustain the Committee on Military Affairs in the report they have made.

Mr. GAINES of Tennessee. Did the committee, when they passed upon the bill, have before them this affidavit?

Mr. HAY. Undoubtedly.

Mr. GAINES of Tennessee. And the subcommittee did not have it?

Mr. HAY. They did not.

Mr. GAINES of Tennessee. Then at that time the gentleman from Wisconsin [Mr. ESCH] was opposed to the bill, but when he got this evidence his doubts were cleared away?

Mr. HAY. And he voted for the bill.

Mr. GAINES of Tennessee. And the committee reported the bill?

Mr. HAY. Yes, sir.

Mr. GAINES of Tennessee. And you have examined the bill and approve it?

Mr. HAY. Yes, sir. [Cries of "Vote!" "Vote!"]

The question being taken, the amendment reported by the committee was agreed to.

The question being taken on laying aside the bill as amended with a favorable recommendation, there were—ayes 54, noes 24.

Mr. HULL. I call for tellers.

Tellers were not ordered.

So the bill was ordered to be laid aside to be reported favorably to the House.

JAMES P. M'CLURE.

The next business on the Private Calendar was the bill (S. 4766) granting an increase of pension to James P. McClure.

The bill was read, as follows:

Be it enacted, etc. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James P. McClure, late of Company H, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

PUBLICATIONS FOR THE BLIND.

Mr. RUCKER. Mr. Chairman, I ask the indulgence of the Committee of the Whole for a moment to make a statement.

A bill introduced by Senator ELKINS is pending in the Senate, an exact duplicate of which has been introduced in the House, providing for the free transmission through the mails of all books, pamphlets, and other publications, printed in raised characters or point letters, for the use of the blind. As is known to all gentlemen here, every State in the Union has institutions or schools for the instruction of the blind.

These schools are provided with books and libraries, furnished by the States and the United States, especially adapted to the wants and necessities of the pupils who attend these institutions. Frequently the blind girls and boys are bright and quick to learn and receive an education. But, when the school year ends and these children separate and return to their respective homes to spend the vacation; or when they have completed the course at

school and can no longer remain there, they are practically denied recourse to books. These books are expensive, and but few of the blind can afford to own them. The purpose of this bill is to permit schools and institutions having libraries printed in raised characters to send such literature to blind people through the mails free of postage.

I will content myself at this time with this mere reference, and ask unanimous consent to print in my remarks for the benefit of the members the bill referred to, together with an article written by Mr. H. H. Johnson, of Romney, W. Va., who is a man of magnificent intellectual attainments, and one of the most distinguished representatives of these unfortunate people.

The documents referred to by Mr. RUCKER are as follows:

IN THE HOUSE OF REPRESENTATIVES, May 19, 1902.

Mr. RUCKER introduced the following bill; which was referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed:

A bill (H. R. 14577) to promote the circulation of reading matter among the blind.

Be it enacted, etc., That books, pamphlets, and other reading matter in raised characters for the use of the blind, whether prepared by hand or printed, in single volumes or in packages, unsealed and not exceeding 4 pounds in weight, when sent by public institutions for the blind as a loan to blind readers, or when returned by the latter to such institution, shall be transmitted in the United States mails free of postage.

SEC. 2. That all acts or parts of acts repugnant to this act are hereby repealed, and the Postmaster-General shall prescribe such regulations as he may deem necessary to carry this act into effect.

A PLEA FOR FREE POSTAGE ON BOOKS FOR THE BLIND.

The bill to promote the circulation of reading matter among the blind is still in the hands of the Senate Committee on Post-Offices and Post-Roads, awaiting the kindly touch that will bring it back to the Senate with favorable recommendations.

An act of Congress, entitled "An act to promote the education of the blind," approved February 27, 1879, sets apart the sum of \$250,000 to be permanently invested in securities of the United States, the proceeds of which shall be forever applied, through the American Printing House for the Blind at Louisville, Ky., to the making of books and apparatus used in the education of the blind, to be annually distributed to the schools for the blind in the several States in the proportion of the attendance of pupils.

For almost a quarter of a century this magnificent but just benefaction has been available for the youthful blind of the country in the schools; and the books in embossed characters have multiplied amazingly. The catalogues now embrace nearly or quite every title in popular literature and technical subjects. We have fiction from Robinson Crusoe to The Marble Faun; in allegory, from the Pilgrim's Progress to the Tale of a Tub; in short tales, a rapidly multiplying variety; in history and biography, a range of choice which would have been well-nigh unimaginable fifty years ago; in poetry, a collection which, in whole or in part, illustrates every considerable writer, and in miscellaneous reading, scores and hundreds of books. Careful, judicious, conservative men are charged with the selection of the books to be printed, and the consequence is that we have in these special catalogues only the very cream of the world's best thought. I believe it would do no violence to the truth to suppose that the entire catalogue of books in raised letters would, in the ink editions, constitute the finest and very best library of equal numbers in the world. At the least, that is what ought to be the fact.

With these advantages for the young blind in the schools, the natural thought would be: "With these well-cultivated tastes, they will go on reading and improving themselves all their lives." Here the delightful prospect suddenly and sadly changes. The pupils retire from the schools to bookless homes. Some of the more fortunate and sprightly ones have gained one or possibly two books at school as prizes. The securing of more is barred by the prices at which the books have to be sold on account of the expensive processes used in their production and the small editions that are required to supply the demand. Worcester's small pocket dictionary of some 18,000 words makes three large volumes and is quoted at \$14.

It is entirely safe to put the cost at from ten to twenty times that at which like books in the ink editions are sold. The size of these books is also against their accumulation, for few houses could spare the room that any considerable number of them would occupy. The 11 volumes of the Bible in the New York point fill a box more than 3 feet long, 14 inches wide, and 13 deep. Fortunately, their weight does not keep pace with their size.

When to these considerations the further one is added that the blind in the very great majority of cases are poor beyond the possibility of paying transportation charges on books that might be borrowed, it will be seen that the return of a blind pupil to the humble home from which he was taken with no appreciation of books, but to which he returns with his faculties all aglow with the enthusiasm of further required acquisitions in knowledge, it requires no great flight of the imagination to conceive the depths of the wretchedness to which he will rapidly gravitate in a very short time, when the whole secret of any possible happiness in life will consist in his ability to forget his taste, his culture, his noble aspirations, which can no longer be fed by the spring of his school-day delights, the books that he may no longer read.

Is the Government's benefaction complete? We are not asking for action of questionable propriety that the Government may show itself sentimentally kind or romantically generous. Is there not a measure of justice in it? Free text-books for the children in the common schools, with circulating free libraries at their very doors and a market in which for their mature years the price of a good cigar will buy almost any, even the best books, are advantages so common as no longer to attract notice or comment. How different with the blind, relegated to their native darkness when their school days are past, without a ray of light to follow them and light their ways, and the necessity of forgetting all the past to make life tolerable! It is difficult to imagine a privation so absolute. How we chafe if the morning paper is a little late on the breakfast table. Even a short outing is intolerable without a book.

These matters are not referred to with any desire of arousing a feeble thrill of sickly sentimentality or a sudden spasm of morbid benevolence. Is there not a propriety in trying to remedy a condition so serious? Would it not be just and righteous to clothe the schools for the blind with this incidental power of continuing the education of their pupils through their whole lives in the interest of a better citizenship for them, to say nothing of greater happiness they would enjoy?

Now, good friend, to whom these words may come, consider yourself specially charged with the responsibility of determining this plain question of mingled justice and mercy. If it strikes you as reasonable, fail not to use the influence you may have with your Senators and Representatives in Con-

gress to push this small, inexpensive bit of legislation to the realization of long-cherished hopes.

Mr. ELKINS introduced the bill in the Senate at the former session and secured its favorable recommendation from the Committee on Education. He informs me that it finally passed the Senate, but was held up in the House. Shall it not fare better this time? May not the favorable report on the bill in the last Congress facilitate like action in the present?

There is other legislation in the interest of the blind, in contemplation, looking to their higher education. I can not feel that this measure, however meritorious in many respects, ought to divert attention from the bill for the free postage on books. The latter will bless every blind reader in the country, and ultimately in the world. Canada has a like law, and it will spread among the nations; and postal agreements may some day give to each the benefits of all in the matter of books for the blind. The other measure can be postponed without injury to anyone; for the blind who want the higher learning will get it with or without assistance, while the impecunious blind can not get books without aid.

Should the frank for books in raised letters fail of favorable consideration at this session of Congress on account of the volume of more widely and more generally important business, let us not doubt either the wisdom or generosity of the members, but rely upon the gentle, respectful activity of those who know and feel the deep significance of the proposed legislation to keep it before Congress till the auspicious time shall come.

H. H. JOHNSON,

Senior Teacher, Blind Department, West Virginia Schools for D. and B.

MAY 15, 1902.

MINE DISASTER IN TENNESSEE.

Mr. GAINES of Tennessee. Mr. Chairman, I beg the indulgence of the Committee of the Whole to speak for a moment about a matter of charity. A few days ago—on the 19th of this month—there was in Tennessee a terrible mine explosion, in which about 225 miners lost their lives. The bodies of these unfortunate men are being gradually taken from this mine. Their wives and many children are left penniless and dependent.

The governor of Tennessee, over the official seal of the State, has appealed to the people of Tennessee and I appeal to the country at large for aid for these widows and orphans.

I wish to take this opportunity of placing in the RECORD the short appeal of Governor McMillin, together with a brief report of the disaster, printed in another column of the same paper, the Nashville American. This appeal of the governor, which I will take the liberty of reading, is as follows:

STATE OF TENNESSEE, EXECUTIVE CHAMBER,

May 21, 1902.

To the People of Tennessee:

On Monday morning, May 19, a fearful disaster occurred at the Fraterville mines, in the Coal Creek mining region. Two hundred and twenty-six miners engaged in laboring for themselves and those dependent upon them were, by fearful explosion in the mine, killed. By reason of this disaster hundreds of poor, helpless women and children are left with poverty and want added to the grief caused by the death of loved ones. It is reported to me that assistance is badly needed. Subscriptions have been opened at different places for the purpose of aiding the unfortunates.

The legislature is not in session, and hence no contribution can be made by the State. I therefore appeal to the citizens in every part of the State to contribute generously to the needs of the people afflicted by this misfortune, and I feel confident that all that is necessary to secure success is to call attention to the matter. Let those who have not been personally visited by the disaster generously help those who have.

In testimony whereof I have hereunto set my hand and caused the great seal of the State to be affixed at Nashville, on the 21st day of May, 1902.

[SEAL.]

BENTON McMILLIN.

By the Governor:

JOHN W. MORTON,

Secretary of State.

Now, Mr. Chairman, I ask unanimous consent to place in the RECORD, along with what I have just read, a full statement of this calamity as given in another column of the Nashville American of May 22. My object in doing this is that people throughout the country may know the facts of the case and may understand to whom contributions may be sent. R. M. Lindsay, of Cold Creek, Tenn., is the chairman of the relief committee, who will gladly receive and properly apply any contributions sent him. I had contributed through Governor McMillin before I knew of their relief committee.

The CHAIRMAN. The gentleman from Tennessee [Mr. GAINES] asks unanimous consent to print in the RECORD the newspaper article to which he has referred. Is there objection? There was no objection.

The article is as follows:

FAREWELLS PAINFULLY INDITED—MESSAGES FROM ENTOMBED MEN AT COAL CREEK WRITTEN WHILE THEY WERE BEING GRADUALLY STRANGLERED TO DEATH BY NOXIOUS VAPORS SURROUNDING THEM—FOUND WITH THE BODIES IN FRATERVILLE MINE—EVIDENCES THAT THEY, AND PERHAPS MANY OTHERS, LIVED FOR HOURS AFTER THE TERRIBLE EXPLOSION, THE TORTURE UNDERGOING BEING INTENSE—WORK OF RECOVERING THE BODIES GOES ON UNDER DIFFICULTIES—FAMILIES OF VICTIMS IN WANT.

KNOXVILLE, TENN., May 21, 1902.

The latest estimates as to loss of life in the Fraterville coal-mine disaster at Coal Creek is 226, including contract miners, day laborers, and boy helpers. One find reported to-day was that of 13 bodies in an entry. With these 13, all of whom were dead, were found 6 letters written by 5 men before life became extinct. One of these letters gave the time of day it was written as 2:30 o'clock Monday afternoon, thus indicating that these and perhaps other entombed men lived many hours after the terrible explosion, which occurred Monday morning at 7:30 o'clock.

The letters gave a general suggestion of the suffering that was undergone, indicating that the men were gradually being strangled to death by the foul and gaseous air that was entering and filling the mine. One piteously read: "My God, for another breath."

The letters, in the main, were directions to families as to what disposition should be made of the writer's body and his business affairs and instructions as to raising his family. One unfortunate, who leaves neither father, mother, brother, nor sisters, addressed his letter "To Everybody," and pleaded that they change their way of living.

UNITED MINE WORKERS.

President J. W. Howe, of the United Mine Workers of America for district 19, went into the mines to-day to make an inspection as the representative of that organization, and to assist in the rescue work. He has received a message of condolence from President John Mitchell of the Mine Workers of America, who stated he had sent \$100 for the relief fund. Mr. Howe today announced that the Mine Workers of America would at once expend \$1,000 for the needy families of its members who died in the mine, and that more would be available if necessary.

State Mine Inspector R. A. Shiflett has announced that he will postpone his official inspection until the bodies are rescued and the mine is cleared of some debris. Mr. Shiflett is physically impaired on account of his recent hard work in inspecting the Nelson Mine, at Dayton, Tenn., where he was exposed to noxious gases.

Mrs. George Atkins, wife of the mine foreman who was lost in the disaster, has completely lost her mind. She is raving, and is kept in custody with great difficulty, so intense is her grief for her husband. The rescuing parties that went in Monday are completely exhausted and new men were sent into the mines to-day. Physicians positively forbade any of the first rescuers returning. They have been in contact with the gaseous air for so long that they have become weakened, and it is feared that they could not survive the arduous work. Many hardy miners from other sections are here, and from these the rescue parties were made up this morning.

MONEY THE CRYING NEED.

There are hundreds of people at Coal Creek, and everyone is ready to do all possible for the relief of the suffering. Money is the crying need, and the outside world is urged to send in contributions to R. M. Lindsay, chairman of the relief committee, Coal Creek, Tenn.

The inquest was resumed this morning, but upon request of Maj. E. C. Camp, president of the Coal Creek Coal Company, it was postponed, and the coroner fixed June 9 as the date for it to be reconvened.

Then an investigation will be made as to the cause of the deaths of the men and as to the cause of the explosion. It is now generally believed that on last Saturday a wall between an abandoned mine of the Knoxville Iron Company and the Fraterville mine was punctured by a miner, and this permitted the foul gas from the old mine to enter Fraterville. The fans not operating Sunday enabled the mine to become permeated with the gas, and the explosion Monday was the result when men went in with their lamps and the fresh air began to flow. Up to noon to-day 141 bodies had been removed from the mine.

WILLIAM A. NELSON.

The next business on the Private Calendar was the bill (H. R. 13233) granting a pension to William A. Nelson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William A. Nelson, Company A, Second New Jersey Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$50 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Nelson," insert "late of," and in the same line, after the word "Second," insert "Regiment."

Strike out the words "and pay him a pension at the rate of \$50 per month" in lines 7 and 8.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM F. BOWDEN.

The next business on the Private Calendar was the bill (H. R. 13178) granting a pension to William F. Bowden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William F. Bowden, late of Company K, Fourth Regiment Virginia Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$25 per month.

The amendment recommended by the Committee on Pensions was read, as follows:

In line 8 strike out "twenty-five" and substitute therefor the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. THOMAS.

The next business on the Private Calendar was the bill (H. R. 8644) granting a pension to John W. Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of John W. Thomas, late a member of Company D, Seventh Regiment of the United States Army, during the Indian wars, and pay him a pension of \$50 per month.

The amendments recommended by the committee were read, as follows:

In line 4, after the words "pension roll," insert "subject to the provisions and limitations of the pension laws."

In line 5 strike out "a member."

Strike out all in lines 6 and 7 after the word "Regiment" in line 6, and substitute therefor the following: "United States Infantry, and pay him a pension at the rate of \$16 per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CORNELIA A. DENNIS.

The next business on the Private Calendar was the bill (H. R. 11893) granting an increase of pension to Mrs. Dennis, of Turin, Coweta County, Ga.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place the name of Mrs. Dennis, of Turin, Coweta County, Ga., on the pension roll, subject to all the provisions and limitations of the existing pension laws, and pay her in lieu of the pension she now receives the sum of \$25 per month.

The amendments recommended by the Committee on Pensions were read, as follows:

Amend the title so as to read: "A bill granting an increase of pension to Cornelia A. Dennis."

Strike out all after the enacting clause and substitute the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cornelia A. Dennis, widow of Green K. Dennis, late of Company F, First Regiment Texas Mounted Volunteers, war with Mexico, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HUGH J. REYNOLDS.

The next business on the Private Calendar was the bill (H. R. 14251) granting a pension to Hugh J. Reynolds.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hugh J. Reynolds, late of Company G, Palmetto Regiment South Carolina Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Pensions were read, as follows:

In line 7, after the word "Infantry," insert "war with Mexico," and in line 8 strike out the word "thirty" and insert in lieu thereof the word "sixteen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN WILLIAMSON.

The next business on the Private Calendar was the bill (H. R. 14234) granting a pension to John Williamson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Williamson, late of Company G, Seventh Regiment United States Volunteer Infantry, war with Mexico, and pay him a pension at the rate of \$12 per month.

The amendment recommended by the committee was read, as follows:

Strike out the word "Volunteer" in line 7.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET S. TOD.

The next business on the Private Calendar was the bill (H. R. 14224) granting an increase of pension to Margaret S. Tod.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Margaret S. Tod, widow of Samuel B. Tod, late sergeant, Company E, Sixteenth Regiment United States Infantry, and pay her a pension at the rate of \$20 a month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 4, after the words "pension roll," insert "subject to the provisions and limitations of the pension laws."

In line 6, after the word "Infantry," insert "war with Mexico;" and in line 7 strike out the word "twenty" and substitute therefor the word "sixteen;" and in the same line change "a month" to "per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LUTHER G. EDWARDS.

The next business on the Private Calendar was the bill (H. R. 14359) granting a pension to Luther G. Edwards.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Luther G. Edwards, late of United States Navy, and pay him a pension at the rate of \$40 per month.

The amendment recommended by the committee was read, as follows:

Strike out all in the bill after the word "Edwards," in line 6, and insert in lieu thereof the following: "late landsman, U. S. S. Lancaster, United States Navy, war with Spain."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM DIXON.

The next business on the Private Calendar was the bill (H. R. 2783) granting a pension to William Dixon.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Pensions be, and he is hereby, authorized and directed to place on the pension roll the name of William Dixon, a scout, who was wounded in a fight with the Indians on September 10, 1874, while serving under General Miles on the frontier, and to pay him the sum of \$50 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Dixon, late a scout and guide, United States Army, and pay him a pension at the rate of \$12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARCELLUS M. M. MARTIN.

The next business on the Private Calendar was the bill (S. 5152) granting an increase of pension to Marcellus M. M. Martin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marcellus M. M. Martin, alias Marion M. Martin, late of Company F, United States Mounted Riflemen, war with Mexico, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JENNIE M. WAGNER.

The next business on the Private Calendar was the bill (S. 5202) granting an increase of pension to Jennie M. Wagner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jennie M. Wagner, widow of Max Wagner, late second lieutenant Twenty-sixth Regiment United States Volunteer Infantry, war with Spain, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving, and \$2 per month additional on account of each of the minor children of said Max Wagner until they reach the age of 16 years.

The bill was ordered to be laid aside with a favorable recommendation.

ELLA S. MANNIX.

The next business on the Private Calendar was the bill (H. R. 13683) granting an increase of pension to Ella S. Mannix.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ella S. Mannix, widow of Capt. D. Pratt Mannix, late of the United States Marine Corps, and pay her a pension at the rate of \$35 per month in lieu of that she is now receiving.

The amendments recommended by the Committee on Pensions were read, as follows:

Amend the title so as to read: "A bill granting an increase of pension to Ella B. S. Mannix."

Strike out all in the bill in lines 6, 7, 8, and 9, and substitute therefor the following: "of Ella B. S. Mannix, widow of Daniel Pratt Mannix, late captain, United States Marine Corps, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HATTIE M. WHITNEY.

The next business on the Private Calendar was the bill (S. 4927) granting an increase of pension to Hattie M. Whitney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hattie M. Whitney, widow of Polliot A. Whitney, late major Sixth Regiment United States Infantry, and pay her a pension at the rate of \$50 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of the said Polliot A. Whitney until he reaches the age of 16 years.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty-five."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM W. H. DAVIS.

The next business on the Private Calendar was the bill (H. R. 6414) granting an increase of pension to William W. H. Davis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. H. Davis, late colonel One hundred and fourth Regiment Pennsylvania Infantry Volunteers, and pay him a pension at the rate of \$50 per month in lieu of the pension he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 7 strike out the words "Infantry Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In lines 8 and 9 strike out the words "the pension" and insert in lieu thereof the word "that."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

The CHAIRMAN. This concludes the business on the Private Calendar from the Pensions and Invalid Pensions Committees.

Mr. SULLOWAY. Mr. Chairman, is there not a Calendar No. 1643?

Mr. MIERS of Indiana. That was laid aside to be favorably reported.

Mr. SULLOWAY. I move that the committee do now rise and report the bills favorably to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LACEY, Chairman of the Committee of the Whole on the Private Calendar, reported that that committee had had under consideration certain private pension bills and other bills under the special order for this day, and had directed him to report the same back to the House, some with and some without amendments, as follows:

HOUSE BILLS AMENDED.

H. R. 4990. A bill granting an increase of pension to George F. Gregg;

H. R. 8149. A bill granting an increase of pension to James B. Martin;

H. R. 14146. A bill granting an increase of pension to John Murphy;

H. R. 12430. A bill granting a pension to Abner H. Lester;

H. R. 13063. A bill granting a pension to Julia B. Shurtleff (title amended);

H. R. 10339. A bill granting an increase of pension to John L. Moore;

H. R. 8573. A bill granting a pension to William McDaniel;

H. R. 12305. A bill granting an increase of pension to Charles Olson;

H. R. 14012. A bill granting a pension to Fannie Reardon, widow of Patrick Reardon, alias Dunn (title amended);

H. R. 8576. A bill granting a pension to John S. Upshaw;

H. R. 12968. A bill granting an increase of pension to John T. Mull;

H. R. 13594. A bill granting an increase of pension to Robert Hargreave (title amended);

H. R. 13944. A bill granting a pension to Margaret Ann West, a nurse of United States Volunteers (title amended);

H. R. 2477. A bill granting an increase of pension to Benjamin Zane;

H. R. 14221. A bill granting an increase of pension to Nancy J. McArthur;

H. R. 11339. A bill granting a pension to Augustus Blount;

H. R. 11453. A bill granting a pension to Catharine Freeman;

H. R. 11865. A bill granting an increase of pension to John A. Robertson;

H. R. 12424. A bill granting an increase of pension to Wallace K. May;

H. R. 12632. A bill granting an increase of pension to Bailey O. Bowden;

H. R. 14052. A bill granting an increase of pension to George Fusselman;

H. R. 13227. A bill granting a pension to Elizabeth J. Emry (title amended);

H. R. 3768. A bill granting an increase of pension to John W. Campbell;

H. R. 5205. A bill granting an increase of pension to Hiram S. Leffingwell;

H. R. 6991. A bill granting an increase of pension to Esek B. Chandler;

H. R. 8146. A bill granting an increase of pension to Thomas M. Owens;

H. R. 5446. A bill granting a pension to James M. Travis (title amended);

H. R. 9710. A bill granting an increase of pension to Elizabeth J. Eagon;

H. R. 3770. A bill granting a pension to J. E. Dickey (title amended);

H. R. 8780. A bill granting an increase of pension to Pierson L. Shick;
 H. R. 12009. A bill granting an increase of pension to George Baker;
 H. R. 12019. A bill granting an increase of pension to William Lowe;
 H. R. 14087. A bill granting a pension to Lizzie Dunlap;
 H. R. 14144. A bill granting an increase of pension to Fannie S. Cross;
 H. R. 10174. A bill granting a pension to Jennie M. Harris (title amended);
 H. R. 11250. A bill granting an increase of pension to Arthur L. Currie;
 H. R. 5038. A bill granting an increase of pension to William H. Hudson;
 H. R. 13946. A bill granting an increase of pension to Capt. Stephen B. Todd (title amended);
 H. R. 14055. A bill granting an increase of pension to Samuel Brown;
 H. R. 7760. A bill granting a pension to Thomas Graham (title amended);
 H. R. 13675. A bill granting an increase of pension to George W. White;
 H. R. 5866. A bill granting an increase of pension to William P. Schott (title amended);
 H. R. 13613. A bill granting an increase of pension to Charles G. Howard;
 H. R. 13999. A bill granting a pension to Dennis Cosier (title amended);
 H. R. 13684. A bill granting an increase of pension to Charles F. Wright;
 H. R. 5480. A bill increasing pension of John C. Nelson (title amended);
 H. R. 12410. A bill granting an increase of pension to Mary Nichols;
 H. R. 10856. A bill granting a pension to Jacob Findley;
 H. R. 12326. A bill granting an increase of pension to John Kirkham (title amended);
 H. R. 14374. A bill granting a pension to Samantha Towner;
 H. R. 10824. A bill granting an increase of pension to George E. Bump;
 H. R. 12507. A bill granting an increase of pension Ebenezer W. Oakley;
 H. R. 6186. A bill granting a pension to Carrie B. Farnham;
 H. R. 14241. A bill granting an increase of pension to Peter Dugan;
 H. R. 13450. A bill granting an increase of pension to Henry F. Hunt (title amended);
 H. R. 13052. A bill granting an increase of pension to Charles K. Batey;
 H. R. 13665. A bill granting an increase of pension to George R. Baldwin;
 H. R. 3986. A bill granting a pension to Martha A. Cornish;
 H. R. 14184. A bill granting an increase of pension to Andrew J. Fogg;
 H. R. 13886. A bill granting an increase of pension to Henry Rogers;
 H. R. 11879. A bill to correct military record of Michael Mullet;
 H. R. 13233. A bill granting a pension to William A. Nelson;
 H. R. 13178. A bill granting a pension to William F. Bowden;
 H. R. 8644. A bill granting a pension to John W. Thomas;
 H. R. 11893. A bill granting an increase of pension to Mrs. Dennis, of Turin, Coweta County, Ga. (title amended);
 H. R. 14224. A bill granting an increase of pension to Margaret S. Tod;
 H. R. 14251. A bill granting a pension to Hugh J. Reynolds;
 H. R. 14234. A bill granting a pension to John Williamson;
 H. R. 14359. A bill granting a pension to Luther G. Edwards;
 H. R. 2783. A bill granting a pension to William Dixon;
 H. R. 13683. A bill granting an increase of pension to Ella S. Mannix (title amended); and
 H. R. 6414. A bill granting an increase of pension to William W. H. Davis.

SENATE BILL WITH AMENDMENT.

S. 4927. An act granting an increase of pension to Hattie M. Whitney.

SENATE BILLS WITHOUT AMENDMENT.

S. 2551. An act granting a pension to Amelia Engle;
 S. 4706. An act granting an increase of pension to William Harrington;
 S. 4732. An act granting an increase of pension to Charles H. Hazzard;
 S. 3998. An act granting an increase of pension to Emma L. Kimble;

S. 4871. An act granting an increase of pension to Helen M. Worthen;
 S. 4983. An act granting a pension to John W. Smoot;
 S. 4655. An act granting an increase of pension to Oliver K. Wyman;
 S. 4862. An act granting an increase of pension to James Welch;
 S. 1797. An act granting an increase of pension to Benjamin Russell;
 S. 3888. An act granting an increase of pension to Jesse H. Hubbard;
 S. 5371. An act granting an increase of pension to Jonathan O. Thompson;
 S. 2168. An act granting an increase of pension to Charles O. Baldwin;
 S. 2697. An act granting an increase of pension to Sarah F. Baldwin;
 S. 4415. An act granting an increase of pension to Vesta A. Brown;
 S. 4758. An act granting an increase of pension to Mary L. Doane;
 S. 4729. An act granting an increase of pension to Daniel A. Hall, alias William Knapp;
 S. 4829. An act granting an increase of pension to Nimrod Headington;
 S. 4853. An act granting an increase of pension to Amos Moulton;
 S. 4712. An act granting an increase of pension to Eliphlet Noyes;
 S. 5153. An act granting an increase of pension Eri W. Pinkham;
 S. 2511. An act granting an increase of pension to William Phillips;
 S. 1038. An act granting an increase of pension to Gustavus C. Pratt;
 S. 5106. An act granting an increase of pension Horace L. Richardson;
 S. 4790. An act granting a pension to Stephen A. Seavey;
 S. 4730. An act granting an increase of pension to George W. Youngs;
 S. 2457. An act granting an increase of pension to Warren Y. Merchant;
 S. 5209. An act granting an increase of pension to Hannah A. Van Eaton;
 S. 3551. An act granting an increase of pension to John P. Collier;
 S. 4240. An act granting an increase of pension to Calvin N. Perkins;
 S. 712. An act granting an increase of pension to John Housiaux;
 S. 4759. An act granting an increase of pension to Martha Clark;
 S. 4638. An act granting a pension to Helena Sudsburg;
 S. 3063. An act granting an increase of pension to Henry J. Edge, alias Jason Edge;
 S. 5759. An act granting an increase of pension to Charles T. Crooker;
 S. 5669. An act granting a pension to Charlotte M. Howe;
 S. 4642. An act granting an increase of pension to Anne Dowery;
 S. 2535. An act granting an increase of pension to Annie E. Joseph;
 S. 5670. An act granting a pension to Samuel H. Chamberlin;
 S. 4766. An act granting an increase of pension to James P. McClure;
 S. 5202. An act granting an increase of pension to Jennie M. Wagner; and
 S. 5152. An act granting an increase of pension to Marcellus M. M. Martin, alias Marion M. Martin.

HOUSE BILLS WITHOUT AMENDMENT.

H. R. 5152. A bill granting a pension to Mary Welch;
 H. R. 14208. A bill granting an increase of pension to Alexander Murdock;
 H. R. 11711. A bill granting an increase of pension to Isaac Gibson;
 H. R. 13505. A bill granting an increase of pension to William F. Stanley;
 H. R. 11252. A bill granting an increase of pension to Edwin M. Gowdey; and
 H. R. 11374. A bill granting an increase of pension to William McCord.

And that the recommendation of the Committee of the Whole be concurred in, and the bills do pass.

Mr. SULLOWAY. Mr. Speaker, I move the previous question on the bills and amendments to their final passage.

The SPEAKER. The gentleman from New Hampshire moves the previous question on the bills and amendments to their final passage.

The motion was agreed to.

Accordingly the previous question was ordered.

GRAZING LANDS ON INDIAN RESERVATIONS.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution which has just come over from the Senate and is now on the Speaker's table.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of a joint resolution, which the Clerk will report.

The joint resolution (S. R. 105) supplementing and modifying certain provisions of the Indian appropriation act for the year ending June 30, 1903, was read, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act "Making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes," are hereby supplemented and modified as follows:

The Secretary of the Interior is directed to make allotments in severalty to the Indians of the Spokane Indian Reservation in the State of Washington, and upon the completion of such allotments the President shall by proclamation give public notice thereof, whereupon the lands in said reservation not allotted to Indians or used or reserved by the Government, or occupied for school purposes, shall be opened to exploration, location, occupation, and purchase under the mining laws.

In addition to the allotment in severalty of lands in the Walker River Indian Reservation in the State of Nevada, the Secretary of the Interior shall, before any of said lands are opened to disposition under any public-land law, select any set apart for the use in common of the Indians of that reservation such an amount of nonirrigable grazing lands therein at one or more places as will subserve the reasonable requirements of said Indians for the grazing of live stock.

In addition to the allotments in severalty to the Uintah and White River tribes of the Uintah Indian Reservation in the State of Utah, the Secretary of the Interior shall, before any of said lands are opened to disposition under any public-land law, select and set apart for the use in common of the Indians of that reservation such an amount of nonirrigable grazing lands therein at one or more places as will subserve the reasonable requirements of said Indians for the grazing of live stock.

All allotments hereafter made to Uncompahgre Indians of lands in said Uintah Indian Reservation shall be confined to agricultural land which can be irrigated, and shall be on the basis of 80 acres to each head of a family and 40 acres to each other Indian, and no more. The grazing land selected and set apart as aforesaid in the Uintah Indian Reservation for the use in common of the Indians of that reservation shall be equally open to the use of all Uncompahgre Indians receiving allotments in said reservation of the reduced area here named.

In so far as not otherwise specially provided, all allotments in severalty to Indians outside of the Indian Territory shall be made in conformity to the provisions of the act approved February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," and other general acts amendatory thereof or supplemental thereto, and shall be subject to all the restrictions and carry all the privileges incident to allotments made under said act and other general acts amendatory thereof or supplemental thereto.

The item of \$70,064.48 appropriated by the act which is hereby supplemented and modified, to be paid to the Uintah and White River tribes of the Indians in satisfaction of certain claims named in said act shall be paid to the Indians entitled thereto without awaiting their action upon the proposed allotment in severalty of lands in that reservation and the restoration of the surplus lands to the public domain.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. RICHARDSON of Tennessee. Mr. Speaker, reserving the right to object, I should like to know what this means?

Mr. SHERMAN. I will attempt to tell the gentleman.

Mr. RICHARDSON of Tennessee. It is a very unusual proceeding, it seems to me.

Mr. SHERMAN. I will attempt to inform the gentleman briefly.

Mr. Speaker, this resolution refers entirely to amendments to the Indian appropriation bill, which amendments were put on in the Senate. They were none of them agreed to by the House conferees until it appeared to such conferees that we could not persuade the Senate conferees to recede. They were not provisions that the House had put into the bill originally at all. They were provisions that were not accepted by the House conferees until after a considerable struggle over them.

Finally the House conferees receded, as the gentleman from Tennessee knows conferees often have to do, even when the provisions on which they recede do not entirely accord with their views. Subsequently—

Mr. RICHARDSON of Tennessee. May I ask the gentleman a question?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Tennessee?

Mr. SHERMAN. Yes.

Mr. RICHARDSON of Tennessee. When and how has it been discovered now that there is something obnoxious in the bill?

Mr. SHERMAN. I was just about to get to that.

Mr. RICHARDSON of Tennessee. Has the Senate reconsidered its amendments?

Mr. SHERMAN. The Senate has. The Senate has passed this resolution.

Mr. RICHARDSON of Tennessee. I understand the Senate has passed this resolution, but has the bill passed the Senate and gone beyond the power of the Senate to reconsider it?

Mr. SHERMAN. It has.

Mr. RICHARDSON of Tennessee. Then the Senate has not reconsidered it?

Mr. SHERMAN. The Senate has passed this resolution, as I stated to the gentleman.

Mr. RICHARDSON of Tennessee. The Senate has passed this resolution, but the bill itself has passed beyond the control of the Senate?

Mr. SHERMAN. The bill itself is in the hands of the President.

Mr. RICHARDSON of Tennessee. How has it been discovered now that there is something wrong with this bill?

Mr. SHERMAN. I was about to tell the gentleman when he interrupted me with his interrogatory, and, if he will permit me, I will gladly tell him now.

Mr. RICHARDSON of Tennessee. Before the gentleman answers that will he also state if we have not already, since this bill passed beyond the control of the House and the Senate, passed a resolution through both Houses of Congress to correct errors in the bill?

Mr. SHERMAN. Not errors.

Mr. RICHARDSON of Tennessee. Well, we did so.

Mr. SHERMAN. It was then believed that would cover all the Senate amendment. Now, here the same provision is included in this resolution, because the House and the Senate had not got it in mind in the resolution which was passed the other day.

Mr. RICHARDSON of Tennessee. Now, then, you passed one resolution to do that. Now, the gentleman in a few days brought in a second resolution to correct errors in this bill.

Mr. SHERMAN. It was not to correct errors; it was to change the bill.

Mr. RICHARDSON of Tennessee. If there is no error in the bill, what is the use of correcting it?

Mr. SHERMAN. Why, my friend will not claim that everything must be an error that requires change.

Mr. RICHARDSON of Tennessee. Why has not the President approved the bill and let it become law?

Mr. SHERMAN. If the gentleman would content himself a moment, I was about to state.

Mr. RICHARDSON of Tennessee. The gentleman knows very well that three joint resolutions have been brought in here to correct errors in a bill which this House passed.

The SPEAKER. The gentleman from Tennessee has asked the gentleman from New York a question and does not wait until he can answer.

Mr. RICHARDSON of Tennessee. Well, "the gentleman" will stop this by objecting.

The SPEAKER. The gentleman is not in order. The gentleman from Tennessee will allow the Chair—

Mr. RICHARDSON of Tennessee. "The gentleman from Tennessee" will respect the authority of the Chair and stop this dialogue by objecting.

The SPEAKER. The gentleman from Tennessee asked the gentleman from New York a question and will not allow him to answer.

Mr. RICHARDSON of Tennessee. "The gentleman" objects to any answer.

The SPEAKER. Objection is made. That settles the question. The Clerk will report the first bill.

Mr. SHERMAN. I would be glad to answer any question.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 641. An act to establish an assay office at Portland, Oreg.—to the Committee on Coinage, Weights, and Measures.

S. R. 103. Joint resolution providing for the binding and distribution of public documents held in the custody of the Superintendent of Documents unbound, upon orders of Senators, Representatives, Delegates, and officers of Congress, when such documents are not called for within two years after printing—to the Committee on Printing.

S. R. 105. Joint resolution supplementing and modifying certain provisions of the Indian appropriation act for the year ending June 30, 1903—to the Committee on Indian Affairs.

PENSION BILLS PASSED.

The following House bills with amendments favorably reported from the Committee of the Whole were severally considered, the amendments agreed to, the bills as amended ordered to be engrossed and read a third time; and they were accordingly read the third time, and passed:

H. R. 4990. A bill granting an increase of pension to George F. Gregg;

H. R. 8149. A bill granting an increase of pension to James B. Martin;

H. R. 14146. A bill granting an increase of pension to John Murphy;
 H. R. 12430. A bill granting a pension to Abner H. Lester;
 H. R. 13063. A bill granting a pension to Julia B. Shurtleff (title amended);
 H. R. 10339. A bill granting an increase of pension to John L. Moore;
 H. R. 8573. A bill granting a pension to William McDaniel;
 H. R. 12305. A bill granting an increase of pension to Charles Olson;
 H. R. 14012. A bill granting a pension to Fannie Reardon, widow of Patrick Reardon;
 H. R. 8576. A bill granting a pension to John S. Upshaw;
 H. R. 12968. A bill granting an increase of pension to John I. Mull;
 H. R. 13594. A bill granting an increase of pension to Robert Hargraves (title amended);
 H. R. 13944. A bill granting a pension to Margaret Ann West, a nurse of United States Volunteers (title amended);
 H. R. 2477. A bill granting an increase of pension to Benjamin Zane;
 H. R. 14231. A bill granting an increase of pension to Nancy J. McArthur;
 H. R. 11339. A bill granting a pension to Augustus Blount;
 H. R. 11453. A bill granting a pension to Catherine Freeman;
 H. R. 11865. A bill granting an increase of pension to John A. Robertson;
 H. R. 12424. A bill granting an increase of pension to Wallace K. May;
 H. R. 12632. A bill granting an increase of pension to Bailey O. Bowden;
 H. R. 14052. A bill granting an increase of pension to George Fusselman;
 H. R. 13227. A bill granting a pension to Elizabeth J. Emery (title amended);
 H. R. 3768. A bill granting an increase of pension to John W. Campbell;
 H. R. 5205. A bill granting an increase of pension to Hiram S. Leffingwell;
 H. R. 6991. A bill granting an increase of pension to Esek B. Chandler;
 H. R. 8146. A bill granting an increase of pension to Thomas M. Owens;
 H. R. 5446. A bill granting a pension to James M. Travis (title amended);
 H. R. 9710. A bill granting an increase of pension to Elizabeth J. Eagan;
 H. R. 3770. A bill granting a pension to J. E. Dickey (title amended);
 H. R. 8780. A bill granting an increase of pension to Pierson L. Shick;
 H. R. 12009. A bill granting an increase of pension to George Baker;
 H. R. 12019. A bill granting an increase of pension to William Lowe;
 H. R. 14087. A bill granting a pension to Lizzie Dunlap;
 H. R. 14144. A bill granting an increase of pension to Fannie S. Cross;
 H. R. 10174. A bill granting a pension to James M. Harris (title amended);
 H. R. 11250. A bill granting an increase of pension to Arthur L. Currie;
 H. R. 5038. A bill granting an increase of pension to William H. Hudson;
 H. R. 13946. A bill granting an increase of pension to Capt. Stephen B. Todd (title amended);
 H. R. 14055. A bill granting an increase of pension to Samuel Brown;
 H. R. 7760. A bill granting a pension to Thomas Graham (title amended);
 H. R. 13675. A bill granting an increase of pension to George W. White;
 H. R. 5866. A bill granting an increase of pension to William P. Schott (title amended);
 H. R. 13613. A bill granting an increase of pension to Charles G. Howard;
 H. R. 13999. A bill granting a pension to Dennis Cosier (title amended);
 H. R. 13684. A bill granting an increase of pension to Charles F. Wright;
 H. R. 5480. A bill increasing pension of John C. Nelson (title amended);
 H. R. 12410. A bill granting an increase of pension to Mary Nichols;
 H. R. 10856. A bill granting a pension to Jacob Findley;
 H. R. 12326. A bill granting an increase of pension to John Kirkham (title amended);

H. R. 14374. A bill granting a pension to Samantha Towner;
 H. R. 10824. A bill granting an increase of pension to George E. Bump;
 H. R. 12507. A bill granting an increase of pension to Ebenezer W. Oakley;
 H. R. 6186. A bill granting a pension to Carrie B. Farnham;
 H. R. 14241. A bill granting an increase of pension to Peter Dugan;
 H. R. 13450. A bill granting an increase of pension to Henry F. Hunt (title amended);
 H. R. 13052. A bill granting an increase of pension to Charles K. Batey;
 H. R. 13665. A bill granting an increase of pension to George R. Baldwin;
 H. R. 3986. A bill granting a pension to Martha A. Cornish;
 H. R. 14184. A bill granting an increase of pension to Andrew J. Fogg; and
 H. R. 13886. A bill granting an increase of pension to Henry Rogers.

MICHAEL MULLET.

The bill (H. R. 11879) to correct the military record of Michael Mullet, reported favorably by the Committee of the Whole House with amendment, was considered, and the amendment agreed to.
 Mr. HULL. Mr. Speaker, I ask unanimous consent that this bill may go over until the other pension bills are passed.

Mr. SULZER. I object.

Mr. HULL. Then, Mr. Speaker, I ask for the yeas and nays on the passage of the bill.

The SPEAKER. That is not in order yet.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage, and the gentleman from Iowa demands the yeas and nays.

Mr. HULL. I withdraw the call for the yeas and nays and ask for a vote.

The question was taken; and on a division (demanded by Mr. HULL) there were—ayes 34, noes 17.

Mr. HULL. Mr. Speaker, I raise the point of no quorum.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. ADAMSON) there were—ayes 15, noes 14.

So the motion to adjourn was agreed to.

LEAVE OF ABSENCE.

Pending the announcement, by unanimous consent, leave of absence was granted as follows:

To Mr. MARSHALL, for ten days, on account of important business.

To Mr. Fox, for ten days, on account of important business, And then (at 4 o'clock and 12 minutes p. m.) the House, under its previous order, adjourned until Monday next at 12 o'clock noon.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Commissioner-General of Immigration submitting a request for authority to expend from the immigrant fund a sum for improvement at Ellis Island Station—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. WARNOCK, from the Committee on Labor, to which was referred the bill of the House (H. R. 12940) creating a commission to inquire into the condition of the colored people of the United States, reported the same without amendment, accompanied by a report (No. 2194); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 640) to extend the provisions, limitations, and benefits of an act entitled "An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war," approved July 27, 1892, reported the same with amendments, accompanied by a report (No. 2195); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MERCER, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 12805) requiring the Anacostia and Potomac River Railroad Company to extend its Eleventh street line, and for other purposes, reported the same with amendments, accompanied by a report (No. 2197); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. GOLDFOGLE, from the Committee on Claims, to which was referred the bill of the House (H. R. 2317) authorizing the Secretary of the Treasury to adjust and settle the account of James M. Willbur with the United States, and to pay said Willbur such sum of money as he may be justly and equitably entitled to, reported the same without amendment, accompanied by a report (No. 2196); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. BURKETT: A bill (H. R. 14691) to authorize the construction of a pontoon bridge across the Missouri River, in the county of Cass, in the State of Nebraska, and in the county of Mills, in the State of Iowa—to the Committee on Interstate and Foreign Commerce.

By Mr. GIBSON: A joint resolution (H. J. Res. 195) for the relief of the families of the miners recently killed by explosion of mines at Coal Creek, Tenn.—to the Committee on Appropriations.

By Mr. NAPHEN: A resolution (H. Res. 268) requesting information from the Secretary of the Interior relating to leased Indian lands—to the Committee on Indian Affairs.

By Mr. STEPHENS of Texas: A resolution (H. Res. 269) that the United States should not accept from any foreign nation or erect in any public place any statue of any king, emperor, prince, or potentate who has ruled or is now ruling—to the Committee on the Library.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BELL: A bill (H. R. 14692) granting an increase of pension to Ferdinand K. Capansky—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 14693) granting a pension to William Mathis—to the Committee on Invalid Pensions.

By Mr. STORM: A bill (H. R. 14694) to provide an American register for the auxiliary schooner Grilse—to the Committee on the Merchant Marine and Fisheries.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Central Trade and Labor Council of Connellsville, Pa., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL: Resolutions of North Fork Post, No. 86, of Hotchkiss, Department of Colorado and Wyoming, Grand Army of the Republic, favoring House bill 3067, relating to pensions—to the Committee on Invalid Pensions.

By Mr. CONRY: Resolutions of Board of Aldermen of the city of Boston, Mass., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. FITZGERALD: Resolutions of Musicians' Mutual Benefit Association No. 41, of New York City, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. DRAPER: Resolutions of Shirt, Waist, and Laundry Workers' Union No. 16, of Cohoes, N. Y., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. GAINES of Tennessee: Petition of J. N. Hart, heir of John S. Hart, late of Robertson County, Tenn., asking that his claim be referred to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. GORDON: Papers to accompany House bill 14653, granting an increase of pension to William L. Reck—to the Committee on Invalid Pensions.

By Mr. HEPBURN: Resolutions of United Mine Workers' Union No. 111, of Diamond, Iowa, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. JACK: Resolutions of Encampment No. 55, Union Veteran Legion, Clarion, Pa., favoring House bill 3067, relating to pensions—to the Committee on Invalid Pensions.

Also, petition of G. A. McLain and others of Indiana County, Pa., urging the passage of Senate bill 1890, the per-diem pension bill—to the Committee on Invalid Pensions.

By Mr. MCCALL: Resolutions of the board of aldermen of the city of Boston, Mass., favoring the passage of House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. McDERMOTT: Petition of F. Randolph and other citizens of Jersey City, N. J., favoring the enactment of bill (H. R. 10793) forbidding railroad officials to separate passengers on account of race or color—to the Committee on Interstate and Foreign Commerce.

By Mr. PUGSLEY: Resolutions of Tammany Hall Democratic Club of the Eleventh district of New York, Social Reform Club, and Clothing Cutters and Trimmers' Association, all of New York City, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of National Business League of Chicago, Ill., favoring the establishment of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS: Resolutions of the Boston (Mass.) city government, urging the passage of House bill 7930, to regulate the hours of labor of post-office clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. RUSSELL: Resolutions of the Connecticut Electric Medical Association, favoring the establishment of a psychological laboratory—to the Committee on the Judiciary.

By Mr. SULZER: Resolutions of United Garment Workers and Clothing Cutters and Trimmers' Union of New York City and vicinity, in favor of the proposed increase of pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. THAYER: Resolutions of the board of aldermen of Boston, Mass., favoring the passage of House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. WARNOCK: Resolutions of Mitchell Post, No. 593, Grand Army of the Republic, of Byhalia, Ohio, favoring the passage of House bill 3067—to the Committee on Invalid Pensions.

SENATE.

MONDAY, May 26, 1902.

Prayer by Rev. W. E. PARSON, of the city of Washington.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

THE TRANSPORT SERVICE.

The PRESIDING OFFICER (Mr. PLATT of Connecticut) laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of January 21, 1902, certain information relative to the Government transports and the transport service; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

RENTAL OF BUILDINGS.

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 22d instant, a detailed statement relative to rented buildings occupied by the Treasury Department in the city of Washington; which, with the accompanying papers, was, on motion of Mr. GALLINGER, referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Commissioner of Labor, transmitting, in response to a resolution of the 22d instant, certain information relative to quarters rented by the Department of Labor in the city of Washington, giving the location, floor space occupied, and annual rent thereof; which, on motion of Mr. GALLINGER, was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed with amendments the following bills; in which it requested the concurrence of the Senate:

A bill (S. 1464) to establish storm-warning stations at South Manitou Island, Lake Michigan; and